The Great Society *Was* Great

The Washington Monthly

OCTOBER
1999
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Small Chemical Companies, Big Y2K Problems

How Women's Magazines Feed Women's Anxiety

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BY AMANDA RIPLEY

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Letters

Bought and Paid For

As a reporter at a travel trade magazine who frequently takes fully expense-paid press trips, I was very pleased to discover Elizabeth Austin's article "All Expenses Paid" (July/August 1999). Finally, someone has said what I cannot. A fellow travel reporter and I constantly joke about being "travel whores" ourselves and we both admit to feeling dirty after writing blatantly "advertorial" articles, which happens here more than it should, but this is simply the way it works in the travel business.

All trade magazines, and to a lesser degree consumer travel magazines, are a product of their advertisers. It is a symbiotic relationship and the travel industry especially is a very insular community. A good example of how things are not supposed to work comes from a big article in the August issue of *Condé Nast Traveler* on how the Caribbean has dealt with the rise in crime. It was actually a fairly benign article, but the Jamaican Tourism board immediately released a statement saying that because of the article, they were strongly considering pulling their advertising from Condé Nast.

At my particular publication, editorial space is sold against advertising, and if a section sells above and beyond its news worthiness, that's just the way it is. Yes, we write a hard-hitting article every so often to keep travel executives on their toes, but in the end, they know they have the upper hand and they control us.

NAME WITHHELD
New York, N.Y.

Winner Take Oil

Eric Umansky's article in your September 1999 issue, "Shooting the Whistle-blower," was an excellent piece of work. Truly, oil companies have been cheating the federal government (and many states) of billions for many years. I have been active in the area of stolen oil and gas royalties since around 1983. I have long documented that delay in reform is the name of the game. That ridiculous "investigation" of the two whistle-blowers is exactly the diversionary farce that Umansky described.

In late July, officials from 32 organizations (including major educational and union groups, conservation groups and public interest groups) jointly signed a letter to all U.S. Senators asking that the barriers to the new royalty regs be lifted. (Note that federal oil royalties shared with some states routinely go to education.) That letter also noted that one company has offered to pay almost $100 million in "back" royalties. There is a lot of money being lost each month by not implementing the new oil regulations. Interior's estimate of $66 million per year in recoverable losses (which I believe to be low) means that we're losing over $5.5 million each month while the regs are frozen ... and that doesn't include gas royalties. Keep up the good work.

BILL ROBINSON
Takoma Park, Md.

Case Not Closed

Re.: David Ignatius' review of *Venona* ("A Father and a Spy," July/August 1999): The issue with Venona is the number of Americans identified as spies for the Soviets. The biggest issue is whether Alger Hiss was or was not a spy, the "Ales" identified in the Venona intercepts. The National Security Agency folks, who are a pretty careful bunch, said Hiss could only be termed a "probable" because a firm link between Hiss and "Ales" could not be made. After the Venona intercepts were made public a few years ago, I spent two years working on intercepts and cryptographic material for a paper I did for a group here, and in my own mind believed Hiss was Ales, but I had to admit NSA could only list him as a "probable."

A couple of months after I gave the Venona paper, a fellow named Weinstein and a young KGB operative published a book claiming Hiss was indeed Ales, and their access to KGB files from 1993-5 proved it. The problem is Weinstein has long believed Hiss was a spy and frankly I do not trust him. Also Hiss is said to have worked for the GRU, the Soviet military intelligence group, not the KGB. The material Weinstein quoted was not convincing.

Hatnes and Klehr, the authors of *Venona*, quote Weinstein to affirm Hiss was a spy, but from an earlier Weinstein work. They then imply they have seen Weinstein's latest book reporting his access to KGB files, but give no citation. Without a bibiography it is impossible to know what Hatnes and Klehr have read in the field and what they have not. In any event, it struck me as very sloppy scholarship, and certainly, in fairness, does not confirm whether Hiss was or was not a Soviet spy.

GORDON BEYER
Lexington, Va.

I enjoyed Mr. Ignatius' review (A Father and a Spy," July/August 1999), but I was horrified to see him repeat the story that British authorities "allowed" the WW II bombing of Coventry to protect the "ULTRA secret" (Allied penetration of the German Enigma cipher).

This story was created by F. W. Winterbotham in *The ULTRA Secret*, and though Winterbotham was a major figure in ULTRA operations, he seems to have invented this story. Peter Calvocoressi was head of the Air Intelligence analysis group at Bletchley Park. In his book *Top Secret ULTRA*, he stated flatly "ULTRA never mentioned Coventry." Interrogations of captured German air crews disclosed that a major attack was scheduled for the night of the November full moon, code-named "Moonlight Sonata." Analysis of German radio guidance beams pointed to Coventry, Wolverhampton, and London as possible targets. The analysts favored London, and Churchill was warned of a raid on London on the 14th. (He responded by cancelling his usual weekend stay in the country so that he would be "at his post" in the moment of danger.)

But on the afternoon of the 14th further beam analysis pinpointed Coventry as the target. (This work was carried out by Professor R.V. Jones.) No countermeasures were withheld to protect any intelligence source.

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Intruder raids struck German airbases in France, over 100 nightfighters hunted the raiders, and Jones' team tried to jam the guidance beams with countersignals.

These measures failed—the intruder raids were ineffective, the nightfighters had no airborne radar, and the settings for the jamming signals were miscalculated. But there was never any question of "sacrificing" Coventry to protect ULTRA.

RICHARD ROSTROM
New York, N.Y.

Worse Than You Think

Re.: Robert Worth's "The Scandal of Special Ed" (June 1999): Yes, I agree that special education is draining our educational budgets and penalizing our general education students. Parents need to stand up and speak out to stop this appalling drain on our resources. Let me give you some "real life" examples of how IDEA has been manipulated at the hands of expensive lawyers and advocates.

A profoundly retarded child, who is non-verbal and non-ambulatory, spends her days strapped into her wheelchair in a third grade classroom. She does not participate in any activities the other third graders participate in because she cannot. Two adults lift her two to three times a day and lay her on a table in a closet to change her diapers and clean her; one is the special education teacher, who must stop teaching other students in order to perform this questionable function. The bus the child is transported on costs the district $30,000 per year and she has her own full-time aide.

When the school district was questioned as to why they put up with this situation and spend thousands of dollars per year on children who have an entirely different set of needs from those addressed in a typical academic public school, they responded that when they tried to take the aforementioned case to a hearing, they were "slapped down" for not giving this a fair trial.

Now, why do we taxpayers and parents have to put up with this nonsense when there is a lovely school ten minutes away that is completely outfitted to serve the educational needs of the severely and multiply handicapped? Our tax dollars have already paid for a new school with extra wide hallways, heated swimming pool, extensive staff, on-site nurse (regular elementary schools here only have a health clerk) and bus service? Why? The answer is that parents can demand this and the schools must comply. No matter how handicapped a child is and ill-fitted to the general education curriculum, the hearing officers and judges won't even consider overturning the parents' decision until we can demonstrate that we have made every effort to make this work. Then, if the school district is willing, the case must be taken to court and thousands more tax dollars spent to try to get a judge to see the foolishness of this whole situation.

ANN NAGLE
Rancho Cucamonga, Calif.

Integrity First

Blake Fleetwood's dire tale ("The Broken Wall," September 1999) about the slow, subtle sellout of news judgments to advertiser desires and reader wants sorely needed telling. But he overlooks one of the strongest arguments against subordinating editorial content to business concerns.

There is just one reason for the unique freedom the Constitution accords the press via the First Amendment: Only from a free press can people get the information they need to make democracy work. Accepting the responsibility to supply that information is the quid pro quo the press takes on in return for being free from regulation, legislation, and censorship. The kind of news required to keep the press's side of this bargain is not the kind they purvey when they let polls, focus groups, and advertiser pressure determine content. Reporters, as Mike Meyers told Fleetwood, "have to tell readers what they need to hear," not just what they want to hear. Editors need to demand that kind of reporting. Publishers need to defend the space given that kind of news against all assaults from advertisers, boards and bottom-liners.

ANN THACKREY BERRY
Raleigh, NC

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Tilting at Windmills

BY CHARLES PETERS

Bruce The Innocent • Alms for Buffett • Culinary Cowardice • Brigadier Gigolo • Taking the Sport Fish Logo to Tokyo

HAVE YOU NOTICED THAT YOUR Republican friends who ridicule Hillary Clinton for putting up with Bill are the same people who usually lecture us about the sinfulness of divorce and the importance of couples staying together for life?

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"THEY WOULDN'T LET THAT happen," my mother used to assure me whenever I expressed a fear that life might produce an unhappy result. "They" were the respectable authorities, public or private, who she imagined zealously guarding everything from the purity of the water we drank to the competence of the physicians we relied on. That bridge we were crossing wouldn't collapse because "they" wouldn't permit it to be used if it was unsafe. The canned soup would be wholesome because otherwise "they" wouldn't permit it to be sold in the grocery store. And so on. I'm sure you've known other firm believers in "they."

Of course, most of us learn as we go through life that they aren't nearly as reliable as mother thought. But what interests me is how little we do about it, how indifferent we are to checking up on them or, indeed, to finding out if they exist at all.

Consider health. There is, reports a recent Rand study, a "surprisingly small amount of systematic knowledge on the quality of health care delivered in the United States." This is especially troubling because the few studies that exist suggest real problems. Sixteen percent of hysterectomies in 1989-90 and 14 percent of coronary artery bypass operations were found to have been "inappropriate" and the reasons for 25 percent more of the former and for 30 percent more of the latter were less than clear. On the prevention side, only 52 percent of senior citizens are getting the flu shots they need.

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One reason there are not enough studies is that doctors tend to resist evaluation that might cast doubt on their competence.

How does the GOP justify tax cuts? With two sets of books.

"Orthopedic surgeons went on the warpath in 1994 when a federal study raised questions about the efficacy of surgery for lower back pain," reports science columnist Daniel S. Greenberg. "In sympathy with the irate doctors, Congress whacked the budget of the sponsor of the unwelcome research, the Agency for Health Care Policy and Research in the Department of Health and Human Services."

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AS A DEVOTED STUDENT OF creative junketeering, I must express my admiration for Robert J. Sousa, assistant regional director of the federal aid division of the U.S. Fish and Wildlife Service. He managed to convince his supervisors that the government should pay $14,842 for several trips he took to Brazil and Japan. On the last one to Japan he even managed to get authorization for a limousine. The purpose of his missions: "encouraging these manufacturers to use the Sport Fish logo on sport fishing equipment imported into the United States."

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BACK IN 1990 THE NATIONAL Practitioner Data Bank was established to keep track of malpractice suits and disciplinary actions against incompetent physicians. This, it was thought, would prevent bad doctors from moving from state to state or hospital to hospital without having their new employer find out about their records. But the law has been evaded. Hospitals are taking fewer disciplinary actions in order to avoid angering their physicians. "They have to ... make sure they have the allegiance and loyalty and dedication of their [medical] staff," Dr. Roger A. Rosenblatt explained to *The Washington Post*'s Sandra G. Boodman.

If a doctor is suspended, it is often for 29 days. Why? Because the law requires that only suspensions of 30 days or more be reported. And malpractice suits are often settled by having the payments made by health plans, professional corporations, group practices or hospitals—because, if the payment is not made by the doctor himself, it does not have to be reported. Finally, the AMA has succeeded in keeping the data bank off limits to consumers.

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SEVERAL YEARS AGO, CLEVELAND businessmen, worried about skyrocketing health insurance costs, established Cleveland Health

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Quality Choice to monitor the quality of health care in local hospitals. It published reports "showing patient satisfaction levels and death rates for a variety of illnesses and procedures," according to Thomas M. Burton of *The Wall Street Journal*. Such reports can be valuable because studies have shown that the death rate for stroke patients, for example, can vary from hospital to hospital from zero to 36.8 percent. And in fact, the Cleveland reports did prove valuable. A 1997 article in the *American Journal of Medical Quality* reported that an 11 percent decrease in death rates after Health Quality Choice was founded. Individual hospitals improved their practices in response to the reports.

But the influential Cleveland Clinic didn't like the reports because, according to one doctor, "they weren't shown to be the best at everything." A hospital that graded well, Mount Sinai Medical Center, did not attract new patients because hospitals were not permitted to advertise the reports. And the public was given less information about the hospitals than the businesses that sponsored the reports. Finally the businesses lost interest because rising medical costs no longer loomed as a major problem for them. So Cleveland Health Quality Choice died.

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ALL THIS REPRESENTS A MAJOR problem. There is a severe shortage of truthful, informed evaluation, not just about health care but about public institutions generally. For seven years during the Kennedy-Johnson administration, I was in charge of evaluation at a government agency, the Peace Corps. I saw not only the tremendous improvement that tough but constructive evaluation can produce, but also the impressive bureaucratic forces that are almost automatically arrayed against it.

The Republicans quickly dismantled Peace Corps evaluation when the Nixon administration took over in 1969. So far as I am able to determine, there is nothing like it anywhere in the government today. Inspectors general tend to focus on fiscal abuse rather than program effectiveness. On occasion the General Accounting Office performs the evaluation function for government agencies but neither as regularly nor as thoroughly as needed. Still, good GAO reports show what could be done. One such was a recent audit of health care provided by the Veterans Administration, which showed that the VA spends more than $1 million a day on unneeded hospital buildings. "We should be taking care of health care, not buildings," Rep. Cliff Stearns told Robert Pear of *The New York Times* in response to the GAO study. Less than 1,200 of the 4,700 hospital sites actually provide medical care to veterans, and many of them care for only a handful of patients. Political pressure keeps them alive even though it would be far cheaper for the government to provide care for veterans through non-VA hospitals and clinics in the communities where the veterans live.

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HERE'S HOW TUCKER CARLSON describes what happened when he asked George W. who his heroes are. "After thinking for an uncomfortably long moment, he names only one: retired baseball player Nolan Ryan." I'm a baseball fan, and Ryan was a great pitcher. Still this answer leaves me wondering about Bush. Shouldn't a president have studied history enough to know leaders he wants to emulate?

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NEWSPAPERS CAN PLAY AN important role in evaluating public agencies. Two recent examples: *The Washington Times* found that 45 percent of the felony charges brought by District of Columbia police were dismissed last year compared to 10 percent in Atlanta and 9 percent in Austin, Texas. *The Washington Post* found that the District of Columbia's water system lost track of 24 percent of its water last year as compared to 10 percent lost by Chicago and 7 percent by Denver. The result is that the missing water went unbilled, with the taxpayers stuck with the tab.

The problem is that there is far too little of this kind of reporting. However, a ray of hope that things may be getting better comes from the *American Journalism Review* report that press coverage of state government increased in 24 states in 1999 and decreased in only 13. But even that good news comes against a background of previous decline in statehouse coverage during the '90s.

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EVEN WHEN EDITORS ARE WILLing to run government stories, reporters face difficulty in getting access to public records. In Wisconsin, for example, a recent survey reported by the *Milwaukee Sentinel Journal* found that county officials in only 14 of 72 counties quickly produced requested records that are supposed to be open to the public.

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A GOOD NEWS-BAD NEWS STORY on a different front. Smoking among the population as a whole dropped last year. But it rose among the 18 to 25 group, to 41.6 percent.

One reason why smoking is on the rise among youth is the availability of sweet-flavored cigarettes called bidis. Imported from India and flavored vanilla, strawberry, wild cherry, chocolate, even mango, these usually unfiltered cigarettes "can pack twice the cancer-causing punch" of regular cigarettes, public health officials told Kate Folmar of *The Los Angeles*

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Times. The story of how they are made is as evil as their effect. Indian women toil 14 hours a day to make 1,000 bidis, earning about 80 cents, reports Miriam Jordan of *The Wall Street Journal*.

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CHERYL MILLS, WHO DID SUCH an impressive job defending Bill Clinton in the Senate impeachment trial, recently talked to Robin Toner of *The New York Times* about the experience of growing up in an Army family: "I have incredibly positive associations with the military ... people really related well to each other without regard to race ... I grew up thinking of the world as being, or at least having the capacity to be, incredibly fair and balanced if given the right environment and opportunity."

I have heard similar comments from many others. The American military deserves immense credit for the extent to which it has achieved the goal of racial fairness.

Have you noticed your Republican friends who ridicule Hillary for sticking with Bill are the same who lecture about the sinfulness of divorce?

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SOMETHING ELSE TO ADMIRE about the military is what their favorite book says about its officers. The book is *Once An Eagle* by Anton Myrer. Its hero is Sam Damon, "a hard-fighting commander filled with concern for his troops who wins battle after battle in both world wars but is killed in a mission trying to convince the powers-that-be that the United States military should not get involved in Vietnam. His antagonist, Courtney Massengale, triumphs over Sam Damon by manipulating the political system in Washington and making all the right career moves, even though he disdains the rank-and-file and sends his soldiers into certain death in his first command in World War II."

I'm indebted to Elizabeth Becker for that description of the two officers and for her article in *The New York Times* which called my attention to Myrer's book. She says that "Sam Damon and Courtney Massengale have entered the language of the United States military as code words for the good officer who thinks first of the troops and the other one who thinks only of personal gain." The book is used at West Point and the Army War College, and is required reading for all Marines. I like that.

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THE GAP BETween the pay of top executives and the factory worker has grown from 42 to 1 in 1980 to 419 to 1 last year. Here at the *Monthly* the gap between highest and lowest paid has never been more than 3 to 1. Maybe we're excessively egalitarian but I suspect we're a good deal closer to the true path than those other guys.

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ACCORDING TO ANOTHER study, the richest one percent of Americans now have as much to spend as the poorest 100 million. And the Republicans want to make the rich even richer! It can't be long, I suspect, before a new Marx—or a new Jesus—appears to denounce the moneybags and awakens those 100 million to how they are being screwed.

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BACK TO THE LOW PERCENTAGE of felonies prosecuted in the District of Columbia. Not enough prosecutors may be one reason—just 93 for 9,349 felonies last year. That's a hundred cases per lawyer. Then there's sloppy police. A lot of D.C. policemen are in the wrong line of work. In fact they're on the other side. In one year alone—1994—189 officers were either indicted or investigated on criminal charges.

Another factor is terrible administration in the criminal courts. Cases are scheduled for trial without regard to whether the prosecution or the defense is ready. The result, according to *The Washington Times*, is that of 600 criminal cases scheduled each month, only about 50 actually go to trial.

All this means too many criminals go free. Consider just one example. Kent Claude Chambers recently shot a grandmother in the back as she tried to shelter children from gunfire. He had been arrested four times for felonies in the last two years, including assault with a deadly weapon with intent to kill. None of the charges had been brought to trial. In fact they had all been dismissed before he murdered the grandmother.

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RETIRED MAJ. GEN. DAVID R. Hale was recently demoted to brigadier general for his offenses. At least this adds a little sting to the $22,000 in fines he had been let off with by his court-martial. This guy was definitely not a follower of Sam Damon's tradition of caring for subordinates. In fact, he seduced four of their wives. In the case of the one to whom he is currently married, he had been counseling her then-husband on his marital problems while conducting an affair with the soldier's wife. And he had the gall to sue the woman who first reported him for slander even though she had told the truth. Her defense cost her $26,000 in legal fees which neither he nor the army has repaid.

The reduction in rank will reduce Hale's retirement pay from $75,744 to $66,843. He is now 54. If he lives 30 more years, he will be paid at least $2 million in

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retirement. But that's not counting annual cost of living increases which could roughly double his take. Not bad for a disgraced officer!

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ANOTHER MATTER THAT THE Pentagon should worry about is the police force that guards its building. These guys make the District of Columbia's cops look like Sherlock Holmes. Only three percent of their cases end in prosecution. Thirty-one of the 234 officers have a criminal history. One sergeant who was assigned to protect Defense Secretary William Cohen just disappeared for three months while he was eluding several arrest warrants. "After his capture," reports Jim Keary of *The Washington Times*, "the sergeant was allowed to remain on the payroll."

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HERE'S ANOTHER Y2K WORRY. Pray that you are not the victim of a criminal, reckless driver, or medical emergency on January 1. It seems that "only 37 percent of the nation's 911 emergency call centers are ready for the Y2K computer challenge," according to a report by Elizabeth Shogren of *The Los Angeles Times*. "The problem is particularly acute," she notes, "in medium-size communities that are big enough to have automated 911 systems but not large enough to have the personnel to upgrade them."

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WHO WILL REPUBLICANS' TAX breaks benefit? Dan Morgan of *The Washington Post* looked into the matter and found that the answer was not the poor. Instead, the list includes "multinational corporations, utility companies, railroads, oil and gas operations, timber companies, the steel industry, and"—how did they get in here?—"small business owners."

Another beneficiary whose need is less than obvious is Warren Buffett. The magazine is very grateful to Warren for helping us get started but he does not belong on Congress's most deserving list.

How does the GOP justify the tax cuts it is proposing? It keeps two sets of books. According to *The Wall Street Journal*'s David Rogers, if the Republicans can't justify a cut with the numbers supplied by the White House Office of Management and Budget, they say forget those figures and turn to the estimates supplied by the Congressional Budget Office. "But when the books are squared," observes Rogers, "the numbers show the lawmakers are poised again to raid the very same social security funds they have promised to lock away."

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SOMETHING ELSE THE ARMY shouldn't be proud of is its School of the Americas in Fort Benning, Ga. Among its graduates have been such distinguished statesmen as Panamanian drug king Manuel Noreiga, El Salvadorean death squad commander Roberto D'Aubisson, and Haitian dictator "Baby Doc" Duvalier. The House, in a rare display of good sense, has voted to slash the School's budget, but the Senate has not. This month the issue will be decided by a Senate-House conference committee. Urge your senator to support the House position.

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CONFIRMATION OF OUR FEAR that the IRS would reduce audits in its effort to be more customer-friendly comes from the IRS head honcho himself. This summer Commissioner Charles Rossotti told the House Ways and Means committee that the audit rate for incomes of more than $100,000 has come down from 1.98 percent to 1.31 percent in the last two years.

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YOU MAY HAVE BEEN VACATIONING in August when it was reported that Carol Elder Bruce, the independent counsel investigating Bruce Babbitt, was not going to seek an indictment. Or you may have missed the story because of the lack of prominence given it by the same media that so overplayed the original charges. *The New York Times*, for example, put the acquittal on page A12. Anyway, it's now clear that although practically everyone else in the press was implying Babbitt was guilty, *The Washington Monthly*'s Robert Worth was right in telling you he wasn't. (See our April 1998 issue.)

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WHEN I WAS A GRADUATE student at Columbia, I had an apartment at 134 West 95th street. Next door lived a Ceylonese teacher of Indian dance, Dr. Wasantha Wanna Singh. He had a beautiful daughter named Lakshmi who was also his star pupil. Naturally, I manifested a keen interest in the dance. Lakshmi and I soon became involved. One night I was invited to dinner. There was a platter piled high with chicken that looked suspiciously spicy to a palate whose tastes had been formed by the cuisine of West Virginia. Lakshmi saw that I was wary. "My mother has a tandoori oven," she explained, "and it makes the best chicken you have ever tasted. You must try it." But I stupidly declined and thereafter avoided dinner invitations from the Singhs. Subsequently, as all who know me are aware, I've become a nut for Indian food and tandoori chicken is my favorite dish.

I'm reminded of this story by a recent article in *The Washington Post* that says Indian food has now become so popular in England that it's obtainable in the tiniest village. I hope the trend spreads to America, so that I can more fully atone for my past foolishness. Lakshmi, alas, doubtless disenchanted by my culinary cowardice, married someone else.

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You've Got a Long Way to Go, Baby

Women's magazines continue to create—and exploit—women's anxiety

BY ALEXANDRA STARR

THE TEST MONITORS HAD WARNED that removing anything from the Advanced Placement English Exam book was strictly off-limits. But when I read the opening paragraph of Joan Didion's essay *On Self Respect*, I knew I had to smuggle it home. I was not the type to risk the opprobrium of my superiors (and I would have been mortified if I had been caught carefully ripping my test booklet apart), but I suppose that's why I found Didion's wry wisdom so compelling. At the awkward age of 17, I had bought the line that good manners, high SAT scores, and a small dress size would assure a lifetime's worth of happiness. Didion, however, delivered a very different message. Those accomplishments might earn praise from other people, she allowed, but impressing parents, teachers, boyfriends, et al. would never secure approval from the most important audience of all: yourself. Pin your sense of self-worth on opinions of others, Didion warned, and one day you will face yourself "with the apprehension of someone who has come across a vampire and has no crucifix at hand."

Overshadowing that insight is a curious irony: *On Self Respect* first appeared in the pages of *Vogue*. While Didion's essay explained that a sense of self-worth had nothing to do with the perceptions of others, the magazine insinuated that external image was everything. For the young women who picked up that 1961 edition of the glossy, it was a particularly potent message. Back then, women were shut out of all but a handful of professional careers, and their economic security hinged on the fortunes of the men they married. Attracting Mr. Right and keeping him happy was of paramount importance, and *Vogue* and sister publications like *Glamour* and *Mademoiselle* implicitly promised the battle plan to landing the gold ring. Cosmetics and clothes comprised the bulk of the weaponry, and it's hard to think of more fertile ground for ads hawking "indispensable" products like eyeliner and pantyhose than in their pages. But women's magazines didn't just sell ad space to cosmetics companies and clothing retailers—they actively plugged their advertisers' products in their articles, too. The proverbial wall between ads and editorial was never very high in these magazines, if it was ever erected to begin with.

Now, a logical legacy of the women's rights movement should have been the demise of these publications. Once women were free to navigate the shoals of corporate America or trailblaze in genetic research, their futures no longer depended on being attractive to the opposite sex. And as women's magazines had essentially made "how to land a man" their organizing principle, you would think emancipated females would have junked those glossies along with their Hoovers and Betty Crocker aprons. But the market didn't exactly dry up: An estimated 40 million women read these magazines each month. And while the women's movement preached autonomy and independence, that message didn't prompt women's magazine editors to rethink their promiscuous relationship with their advertisers; these publications still enthusiastically flog their advertisers' products.

Of course, those plugs are just an added bonus to an already lucrative forum for advertisers. While these slicks profess to help women "be all they can be," their photographs of anorexic models, innumerable

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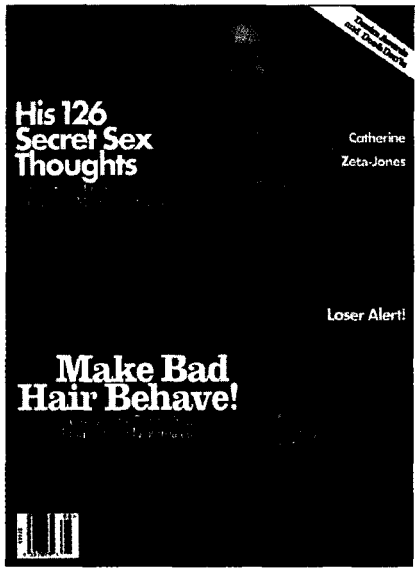
diets, and fashion tips all raise the bar of what a woman "should" be to ridiculous (and unhealthy) heights. What better place than in their pages to peddle products that promise to close the gap between what women are and this unattainable ideal?

Stepford's little helper

"You ask—what am I really like?" reads a *Glamour* spread from October 1960. "We answer—we know you. You're spirited and witty, trying pretty valiantly to practice what we preach: that regardless of age or circumstance, it's your obligation as a woman to look attractive." The message wasn't always laid out that explicitly, but it's certainly the subtext on every page of these magazines. How women's publications honed that pitch depended on their target audience. *Redbook* and *Ladies' Home Journal* were must-reads for older suburban housewives, while *Mademoiselle* and *Glamour* aimed for college girls and middle class "young marrieds." *Harper's Bazaar* and *Vogue*'s niche was the moneyed couture set. So while photo layouts of leggy lookers was the norm in all these magazines, *Glamour* would paste a heading proclaiming "He says he'll eat soup for a year, if I'll just buy something great" across the top of one layout; you'd never find that phrasing in the snootier *Vogue*.



Still, the bottom line in all of these publications was the same: Women's *raison d'être* revolved around sporting wedding bands. To a '90s reader, poring over these magazines gives a whole new appreciation for Adrienne Rich's line from the 1963 poem *Snapshots of a Daughter-in-Law:* "A thinking woman sleeps with monsters." Thinking, apparently, wasn't part of the plan. "Man is a romantic and needs illusion," cautions a 1949 *Glamour* article. "Part of this illusion (which should be reality) is that a woman needs him ... If a woman is too self-sufficient, either in ... intelligence or in her competence—this illusion withers." Aside from coyly dumbing themselves down, women would also do well to meticulously monitor their appearance, *Glamour* advised in its 1960's feature "Fifty Ways to Charm a Man." Men "come out four square against stocking seams crooked, slips showing, heels run down, nail polish chipped, and lipstick where it doesn't belong," reported the editors. And forget about asking hubby to help out around the house or take care of junior. "Babies prefer their mothers to take care of them rather than their fathers," a 1961 *Redbook* article dubiously reported. Women, furthermore, had better continue the after-work cocktail hour with their husbands, lest the new dad begin to feel neglected. And under no circumstances should the man of the family come home to a "half-baked dinner"!

The ads in these magazines provide a further sociological record of the '50s middle-class housewife existence. Next to articles about childbirth are pitches for Gerber baby food; squeezed between *Redbook*'s "How to bake the perfect pie" and "How to bake perfect cookies" are pages commending Minute Tapioca. It's obvious the vast majority of readers didn't lay claim to their own income. An omnipresent headline on advertisements is "Do you need money?" followed by a pitch for correspondence-stenography classes or the opportunity to hawk Christmas cards.

The ads not only provide a window on real-life Mrs. Cleavers, they also show the breathtaking lengths to which magazine editors sold out to their advertisers. *Glamour*, for example, featured a regular column authored by the apocryphal "Marjorie," whose description of her shopping exploits were framed by ads peddling the products the 20-something heroine picked up. "I stumbled across the dearest pair of black leather pumps, with a one-inch Louis heel (the heel is one inch, I don't know about Louis)," reads the September 1960 column. Juxtaposed is a half-page ad for the shoes.

Glamour eventually pulled the Marjorie column. And women's magazines changed in other ways, too. Today's females no longer spend all their days shopping or popping Valium in the suburbs, and mags have correspondingly altered their tone. Most slicks run stories on office life (generally of the "How to Ask For a Raise" or "How to Scale the Corporate Ladder" variety). Publications like *Glamour* and *Marie Claire* also boast the occasional piece on HMOs or sexual harassment.

For the most part, however, women's magazines are pushing the same message they were half a century ago: Women's existence revolves around landing the right guy. Except these days, the seduction isn't accomplished through baking the perfect cake, sculpting your nails, or making sure your hemline isn't crooked.

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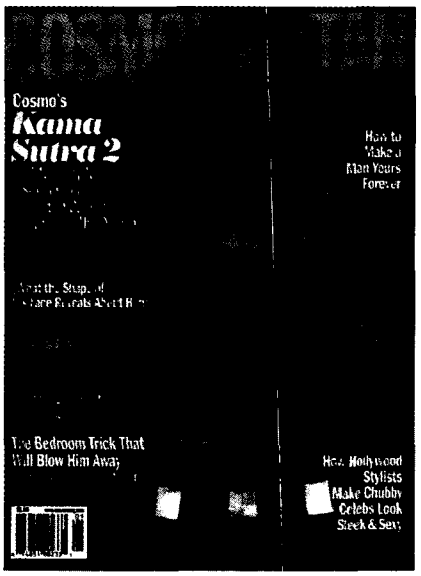
The World's Oldest Profession

"*Kama Sutra 2:* 12 Naughty New Sex Positions, Including Our Personal Favorite—'The Dragon'" screams one of *Cosmopolitan*'s September 1999 headlines. "His 126 Secret Sex Thoughts: The Dastardly Details Racing Through His Mind—Right Now!" promises *Glamour*'s August issue. The youth-oriented *Jane*, meanwhile, essentially spoke for the whole genre when it dubbed its August edition the "Sex-obsessed issue."

If there is a dividing line between the women's magazines of a few decades back and the covers we eye on the check-out line today, it's the sex obsession. In 1961 *Redbook* ran an article cautioning young women that premarital hanky-panky could mean giving up any chance of walking down the aisle; today the magazine advises readers on how to drive men wild. In a sense, it's a healthy corrective for publications to acknowledge women have hormones, too. But if readers took this stuff seriously, they would spend their nights and the better part of their days staring at ceiling tiles. And while these articles are packaged under the "liberated woman" motif, they're really just another variation on the "snagging and keeping a guy" theme. Consider the headlines: *Cosmo* promises to reveal "The Bedroom Trick That Will Blow Him Away"; *Redbook* offers "Steamy moves that will make him beg for you—all over again." Women, apparently, are eager for the geisha training. "Those headlines generate a response," says Steven Cohen, editor in chief of the *Media Industry* newsletter. "That's why *Cosmo* sells two million copies every month off of the newsstand."



The other surefire marketing ploy is the celebrity cover. Glance at a magazine rack and you'll quickly realize that sycophantic celebrity profiles are all the rage in publications ranging from *Rolling Stone* to *Newsweek*. But women's magazines take the trend a step further. They not only print gushing articles about models and actors; they also literally posit these people as moral exemplars. TV actress Jane Leeves, for example, authored *Marie Claire*'s July advice column. "She won Niles' heart on 'Fraiser' without even trying," reads the introductory note. Of course, it was Leeves' *fictional television persona* who entranced her equally fictional co-star. No matter—her character's bonafides qualify her to give advice about breast reduction, married men, and sibling rivalry. Not to be outdone, *Cosmo* ran a September feature on "Control Your Crises (Like the Stars Do): How to save face with Hollywood grace after mortifying mishaps." Readers were advised to take a page from Latina star Jennifer Lopez, who wrote letters of apology to fellow celebrities she had disparaged in an interview. Actress Minnie Driver, meanwhile, was commended on weathering her breakup from actor Matt Damon with aplomb. "The easiest way to get a broken heart off your—and everyone else's—mind is to slide right back into circulation, just as Driver did," says *Cosmo*. "[She] appear[ed] a few weeks later on Foo Fighters drummer Taylor Hawkins' arm (well, actually, she was on his lap)."

It's difficult to see just what readers can gain by emulating the stars' bed-hopping existence. But as publicity can make or break a movie career, it's pretty obvious what stars reap from the breathless coverage. Magazines, meanwhile, can expect a jump in sales when they feature a celebrity on their covers. An excerpt from *Jane*'s letters column explicitly lays out the back scratching that goes on between magazines and actors. "It's nice to see Minnie on your cover and even nicer to read a story about her when she's not pimping some movie," wrote one reader. The sheepish reply: "Thanks, but um, Minnie was promoting *An Ideal Husband*. So rush out right now and see it."

Women's magazines don't just cozy up to celebrities—they are still unapologetic promoters of their advertisers' products. Examples of this unsavory relationship are as numerous as Brooks Brothers shirts in a Wall Street law firm. *Glamour*'s "You, you, you beauty" section vouched for Lancome moisturizer; Calvin Klein purse spray; and Neutrogena hand cream, mascara, and face powder in its August issue, where all three companies placed multipage ads. *Jane* showers paeans on Doc Martens boots in its fashion section, just after an ad for the shoeware. Ralph Lauren bought eight pages of publicity in *Cosmo*, and the magazine trumpeted the fashion line's cashmere scarves, sleeveless turtlenecks, quilted bubble jackets, and Bath Fizzies.

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If you don't read through these magazines carefully (believe me, not the best use of your time) it's easy to miss the muddy division between articles and advertising. What also becomes apparent is how mags tailor themselves to a certain age bracket. That's savvy marketing; advertisers prefer to hawk their products to defined audiences. If you want to figure out the median age of a women magazine's readership, check out the ubiquitous Mentor breast augmentation ad. In *New Woman* (whose average reader is 37, according to Mediamark Research Inc.) a 38-year-old mother of two explains in a Mentor spread that her implants made her feel like she'd finally "done something just for me." In the younger-oriented *Marie Claire*, a 31-year-old sales representative swears she feels "better than ever" since going under the knife. For women who long to be voluptuous but can't scrape together the cash for surgery, *Cosmo* offers another option: Readers can "get more cleavage in just five seconds" by pasting their breasts together with duct tape.

What's the Allure?

Why do women lap this stuff up? Well, ladies' economic fortunes may no longer turn on landing the right guy, but both men and women want to be perceived as attractive. The slicks speak to that desire (men aren't immune to this pitch, either; for a description of the rise of men's magazines, see "Turning Boys Into Girls" in our May 1998 issue.) With headlines like "Flat Abs Fast: The Five Minute Workout" and "Instant Tone-Up Tricks," these magazines promise quick physical results with minimum effort. And once readers are toned and primped, these publications roll out strategies to bring suitors down on their knees. "How to make a man yours *forever*" guarantees *Cosmopolitan*'s September issue. "(Or for as long as you want him)."

The tag line is revealing. *Cosmo* and the rest may promise moves to entice members of the opposite sex the way a beam of light attracts moths. But there isn't anything in these glossies to prepare people for the day when the early *frisson* wears off. Being proficient in *Cosmo*'s dragon position won't help when you're trying to negotiate the bumps that eventually spring up in any relationship. Nor will "bigger cleavage" via Mentor breast implants or the cheaper duct tape solution. In the glib world of these slicks, there isn't a place for the hard work of compromise. More importantly, there isn't an acknowledgment that a solid sense of self-worth is a prerequisite to being in a successful relationship—or, for that matter, leading a healthy life.

Now, to hear the editors of these magazines tell it, their mission is precisely to help readers feel feminine and good about themselves. But these publications aren't really geared to nudging up readers' self-esteem. Rather, they are peddling an unattainable package and needling their readership on how far short of the goal they fall. It's not just page after page of waifish models that gnaw at women's confidence. The articles in these publications aren't well-written, but they skillfully mimic that insistent, self-critical voice that plague so many young adults. "Are you fit?" asks *New Woman* in its July issue. "Are you *sure*?" Or check out *Glamour*. "The first impression you made on someone critical was as bland as oatmeal," reads a heading in its August issue. "Can you bounce back?" Perhaps the best example is an article that appears a few pages later, "Is Envy Eating You Up?" It reads like a camp version of an Iago soliloquy. "You may as well stop reading right here if you have never felt your stomach knot, your heart sink and your brain scream 'I'm such a loser' ... Still with us? Thought so."

And what can a reader do to boost her sense of self-worth? Well, if she is plagued by "relationship envy," *Glamour* recommends the following exercise: "[D]raw a line and write 'Total Failure' on one end, and on the other end, a goal that is important to you ('I found a soulmate,' or maybe, 'I had one night of hot sex'). Decide where you are on that line, and be very specific about how you would have to conduct yourself tomorrow to get one step closer to your goal."

Obviously, trolling for "one night of hot sex" isn't going to increase women's self-confidence. Nor will the Louis heel pumps "Marjorie" swore by. No, as Joan Didion told *Vogue* readers, those sort of quick fixes have nothing to do with self-respect. Rather, a sense of confidence springs from self-awareness and discipline. It's about understanding your limitations and making the effort to rise above them. People with self-respect aren't complacent, but neither are they hyper-critical. They coax the best out of themselves.

Didion made no extravagant promises for the protective power of self-respect. It will not keep you "out of strange beds, ambivalent conversations, and trouble in general," she warned. But assuming responsibility for your decisions and learning from your mistakes is really the only way to live. Didion's message isn't necessarily soothing, but she's laying out hard truths all of us encounter sooner or later. In our unaccomodating world, all of us eventually encounter Didion's vampires. And, despite the assurances of *Vogue* and like-minded publications, during those painful confrontations frosted pink lipstick, a winning smile, and all of the clothes in the world aren't the kind of amulets you'll need to have at hand.

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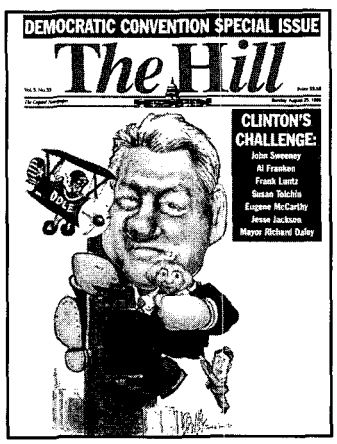

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What Was Really Great About The Great Society

The truth behind the conservative myths

BY JOSEPH A. CALIFANO JR.

IF THERE IS A PRIZE FOR THE POLITICAL scam of the 20th century, it should go to the conservatives for propagating as conventional wisdom that the Great Society programs of the 1960s were a misguided and failed social experiment that wasted taxpayers' money.

Nothing could be further from the truth. In fact, from 1963 when Lyndon Johnson took office until 1970 as the impact of his Great Society programs were felt, the portion of Americans living below the poverty line dropped from 22.2 percent to 12.6 percent, the most dramatic decline over such a brief period in this century. Since then, the poverty rate has hovered at about the 13 percent level and sits at 13.3 percent today, still a disgraceful level in the context of the greatest economic boom in our history. But if the Great Society had not achieved that dramatic reduction in poverty, and the nation had not maintained it, 24 million more Americans would today be living below the poverty level.

This reduction in poverty did not just happen. It was the result of a focused, tenacious effort to revolutionize the role of the federal government with a series of interventions that enriched the lives of millions of Americans. In those tumultuous Great Society years, the President submitted, and Congress enacted, more than 100 major proposals in each of the 89th and 90th Congresses. In that era of do-it-now optimism, government was neither a bad man to be tarred and feathered nor a bag man to collect campaign contributions, but an instrument to help the most vulnerable in our society.

JOSEPH A CALIFANO JR. *was President Johnson's assistant for domestic affairs from 1965 to 1969 and secretary of Health, Education and Welfare from 1977 to 1979. He is president of the National Center on Addiction and Substance Abuse at Columbia University.*

What has the verdict been? Did the programs we put into place in the 1960s vindicate our belief in the responsibility and capacity of the national government to achieve such ambitious goals—or do they stand as proof of the government's inability to effect dramatic change that helps our people?

A Fair Start

The Great Society saw government as providing a hand up, not a handout. The cornerstone was a thriving economy (which the 1964 tax cut sparked); in such circumstances, most Americans would be able to enjoy the material blessings of society. Others would need the kind of help most of us got from our parents—health care, education and training, and housing, as well as a nondiscriminatory shot at employment—to share in our nation's wealth.

Education and health were central to opening up the promise of American life to all. With the 1965 Elementary and Secondary Education Act, the Great Society for the first time committed the federal government to helping local school districts. Its higher education legislation, with scholarships, grants, and work-study programs, opened college to any American with the necessary brains and ambition, however thin daddy's wallet or empty mommy's purse. Bilingual education, which today serves one million individuals, was designed to teach Hispanic youngsters subjects like math and history in their own language for a couple of years while they learned English, so they would not fall behind. Special education legislation has helped millions of children with learning disabilities.

Since 1965 the federal government has provided more than a quarter of a trillion dollars in 86 million college loans to 29 million students, and more than $14

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billion in work-study awards to 6 million students. Today nearly 60 percent of full-time undergraduate students receive federal financial aid under Great Society programs and their progeny.

These programs assure a steady supply of educated individuals who provide the human resources for our economic prosperity. When these programs were enacted, only 41 percent of Americans had completed high school; only 8 percent held college degrees. This past year, more than 81 percent had finished high school and 24 percent had completed college. By establishing the federal government's responsibility to finance this educational surge—and the concept that access to higher education should be determined by ability and ambition, not dollars and cents—we have amassed the trained talent to be the world's leading industrial, technological, communications and military power today.

Head Start, which has served more than 16 million preschoolers in just about every city and county in the nation and today serves 800,000 children a year, is as American as motherhood and apple pie. Like so many successes, this preschool program has a thousand parents. But how many people remember the battles over Head Start? Conservatives opposed such early childhood education as an attempt by government to interfere with parental control of their children. In the '60s those were code words to conjure up images of Soviet Russia wrenching children from their homes to convert them to atheistic communism. But Lyndon Johnson knew that the rich had kindergartens and nursery schools; and he asked, why not the same benefits for the poor?

The impact of the Great Society's health programs has been stunning. In 1963, most elderly Americans had no health insurance. Few retirement plans provided any such coverage. The poor had little access to medical treatment until they were in critical condition. Only wealthier Americans could get the finest care, and only by traveling to a few big cities like Boston or New York.

Is revolution too strong a word? Since 1965, 79 million Americans have signed up for Medicare. In 1966, 19 million were enrolled; in 1998, 39 million. Since 1966, Medicaid has served more than 200 million needy Americans. In 1967, it served 10 million poor citizens; in 1997, 39 million. The 1968 Heart, Cancer and Stroke legislation has provided funds to create centers of medical excellence in just about every major city—from Seattle to Houston, Miami to Cleveland, New Orleans to St. Louis. To staff these centers, the 1965 Health Professions Educational Assistance Act provided resources to double the number of doctors graduating from medical schools, from 8,000 to 16,000. That Act also increased the pool of specialists and researchers, nurses, and paramedics. Community health centers, also part of the Great Society health care agenda, today serve almost eight million Americans annually. The Great Society's commitment to fund basic medical research lifted the National Institutes of Health to unprecedented financial heights, seeding a harvest of medical miracles.

Closely related to these health programs were efforts to reduce malnutrition and hunger. Today, the Great Society's food stamp program helps feed more than 20 million men, women, and children in more than 8 million households. Since it was launched in 1967, the school breakfast program has provided a daily breakfast to nearly 100 million schoolchildren.

Taken together, these programs have played a pivotal role in recasting America's demographic profile. In 1964, life expectancy was 66.6 years for men and 73.1 years for women (69.7 years overall). In a single generation, by 1997, life expectancy jumped 10 percent: for men, to 73.6 years; for women, to 79.2 years (76.5 years overall). The jump was highest among the less advantaged, suggesting that better nutrition and access to health care have played an even larger role than medical miracles. Infant mortality stood at 26 deaths for each 1,000 live births when LBJ took office; today it stands at only 7.3 deaths per 1,000 live births, a reduction of almost 75 percent.

These enormous investments in training medical and scientific experts and funding the National Institutes of Health have played a key part in establishing our nation as the world's leader in basic research, pharmaceutical invention, and the creation of surgical procedures and medical machinery to diagnose our diseases, breathe for us, clean our blood, and transplant our organs.

Those of us who worked with Lyndon Johnson would hardly characterize him as a patron of the arts. Yet think about what cultural life in America would be like without the National Endowments for the Arts and Humanities, which were designed to "create conditions under which the arts can flourish," and make fine theater and music available throughout the nation, not just at Broadway playhouses and the Metropolitan Opera in New York. The Endowment for the Arts has spawned art councils in all 50 states and more than 420 playhouses, 120 opera companies, 400 dance companies and 230 professional orchestras. Johnson also oversaw the creation of the Kennedy Center for the Performing Arts, whose programs entertain three million people each year and are televised to millions more, and the Hirshhorn Museum and Sculpture Garden, which attracts more than 700,000 visitors annually.

Another creature of the Great Society is the Cor-

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poration for Public Broadcasting, which today supports 350 public television and 699 public radio stations. These stations have given the nation countless hours of fine arts, superb in-depth news coverage, and educational programs such as Sesame Street that teach as they entertain generations of children. Now many conservatives say there is no need for public radio and television, since there are so many cable channels and radio stations. But as often as we surf with our TV remotes and twist our radio dials, we are not likely to find the kind of quality broadcasting that marks public television and public radio stations.

The Great Society's main contribution to the environment was not just passage of laws, but the establishment of a principle that to this day guides the environmental movement. The old principle was simply to conserve resources that had not been touched. Lyndon Johnson was the first president to put forth a larger idea:

"The air we breathe, our water, our soil and wildlife, are being blighted by poisons and chemicals which are the by-products of technology and industry. The society that receives the rewards of technology, must, as a cooperating whole, take responsibility for [their] control. To deal with these new problems will require a new conservation. We must not only protect the countryside and save it from destruction, we must restore what has been destroyed and salvage the beauty and charm of our cities. Our conservation must be not just the classic conservation of protection and development, but a creative conservation of restoration and innovation."

Those new environmental commandments inspired a legion of Great Society laws: the Clear Air, Water Quality and Clean Water Restoration Acts and Amendments, the 1965 Solid Waste Disposal Act, the 1965 Motor Vehicle Air Pollution Control Act, and the 1968 Aircraft Noise Abatement Act. They also provided the rationale for later laws creating the Environmental Protection Agency and the Superfund that exacts financial payments from past polluters.

Of the 35 national parks established during the Great Society years, 32 are within easy driving distance of large cities. The 1968 Wild and Scenic Rivers Act today protects 155 river segments in 37 states. The 1968 National Trail System Act has established more than 800 recreational, scenic, and historic trails covering 40,000 miles.

Lyndon Johnson knew the rich had kindergartens and nursery schools; and he asked, why not the same benefits for the poor?

Equal Access

Above all else, Lyndon Johnson saw the Great Society as an instrument to create racial justice and eliminate poverty. Much of the legislation already cited was aimed at those objectives. But we directly targeted these areas with laser intensity. When LBJ took office, this country had segregated stores, theaters and public accommodations; separate toilets and water fountains for blacks; and restaurants, hotels, and housing restricted to whites only. Job discrimination was rampant. With the 1964 Civil Rights Act, the Great Society tore down all the "whites only" signs. The 1968 Fair Housing Act opened up housing to all Americans regardless of race.

But the measure of the Great Society, particularly in this field, cannot be taken alone in statutes enacted. In one of the most moving speeches of the century, Johnson's 1965 Howard University commencement address, "To Fulfill These Rights," he said:

"But freedom is not enough. You do not take a person who, for years, has been hobbled by chains and liberate him, bring him to the starting line of a race and then say, 'You are free to compete with all the others,' and still justly believe that you have been completely fair. This is the next and the more profound stage of the battle for civil rights." Thus was born the concept of affirmative action, Johnson's conviction that it is essential as a matter of social justice to provide the tutoring, the extra help, even the preference if necessary, to those who had suffered generations of discrimination, in order to give them a fair chance to share in the American dream. Perhaps even more controversial today than when then set forth, affirmative action has provided opportunity to millions of blacks and has been a critical element in creating a substantial black middle class and an affluent black society in a single generation.

That speech provided another insight the nation ignored. In cataloguing the long suffering of blacks, Johnson included this passage: "Perhaps most important—its influence radiating to every part of life—is the breakdown of the Negro family structure. It flows from centuries of oppression and persecution of the Negro man. And when the family collapses it is the children that are usually damaged. When it happens on a massive scale the community itself is crippled. So, unless we work to strengthen the family, to create conditions under which most parents will stay together,all the rest—schools, and playgrounds, and public assistance, and private concern—will never be enough to

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cut completely the circle of despair and deprivation."

Conservatives charge the Great Society with responsibility for the disastrous aspects of the welfare program for mothers and children. But that program was enacted in the '30s and conservatives (and liberals) in Congress rejected Great Society efforts to revamp it. LBJ called the welfare system in America "outmoded and in need of a major change" and pressed Congress to stop conditioning welfare benefits on the man leaving the house and to create "a work incentive program, incentives for earning, day care for children, child and maternal health, and family planning services." In the generation it has taken the nation to heed that warning, millions of children's lives have been savaged.

In the entire treasury of Great Society measures, the jewel Lyndon Johnson believed would have the greatest value was the Voting Rights Act of 1965. That law opened the way for black Americans to strengthen their voice at every level of government. In 1964 there were 79 black elected officials in the South and 300 in the entire nation. By 1998, there were some 9,000 elected black officials across the nation, including 6,000 in the South. In 1965 there were five black members of the House; today there are 39.

Great Society contributions to racial equality were not only civic and political. In 1960, black life expectancy was 63.6 years, not even long enough to benefit from the Social Security taxes that black citizens paid during their working lives. By 1997, black life expectancy was 71.2 years, thanks almost entirely to Medicaid, community health centers, job training, food stamps, and other Great Society programs. In 1960, the infant mortality rate for blacks was 44.3 for each 1,000 live births; in 1997, that rate had plummeted by two-thirds, to 14.7. In 1960, only 20 percent of blacks completed high school and only 3 percent finished college; in 1997, 75 percent completed high school and more than 13 percent earned college degrees.

In waging the war on poverty, congressional opposition was too strong to pass an income maintenance law. So LBJ took advantage of the biggest automatic cash machine around: Social Security. He proposed, and Congress enacted, whopping increases in the minimum benefits that lifted some two million Americans 65 and older above the poverty line. In 1996, thanks to those increased minimum benefits, Social Security lifted 12 million senior citizens above the poverty line.

The combination of that Social Security increase, Medicare and the coverage of nursing home care under Medicaid (which today funds care for 68 percent of nursing home residents) has had a defining impact on American families. Millions of middle-aged Americans, freed from the burden of providing medical and nursing home care for their elderly parents, suddenly were able to buy homes and (often with assistance from Great Society higher education programs) send their children to college.

No Great Society undertaking has been subjected to more withering conservative attacks than the Office of Economic Opportunity. Yet the War on Poverty was founded on the most conservative principle: Put the power in the local community, not in Washington; give people at the grassroots the ability to stand tall on their own two feet.

Conservative claims that the OEO poverty programs were nothing but a waste of money are preposterous—as preposterous as Ronald Reagan's quip that "LBJ declared war on poverty and poverty won." Eleven of the 12 programs that OEO launched in the mid-'60s are alive, well and funded at an annual rate exceeding $10 billion; apparently legislators believe they're still working. Head Start, Job Corps, Community Health Centers, Foster Grandparents, Upward Bound (now part of the Trio Program in the Department of Education), Green Thumb (now Senior Community Service Employment), Indian Opportunities (now in the Labor Department) and Migrant Opportunities (now Seasonal Worker Training and Migrant Education) were all designed to do what they have been doing: empowering individuals to stand on their own two feet.

Community Action, VISTA Volunteers, and Legal Services continue to put power in the hands of individuals down at the grassroots level. The grassroots that these programs fertilize just don't produce the manicured laws that conservatives prefer. Only the Neighborhood Youth Corps has been abandoned—in 1974, after enrolling more than five million individuals. Despite the political rhetoric, every president, Ronald Reagan included, has urged Congress to fund these OEO programs or has approved substantial appropriations for them.

A Better Deal

The Great Society confronted two monumental shifts in America: the urbanization of the population and the nationalization of commercial power. For urban America, it created the Department of Housing and Urban Development. It drove through Congress the Urban Mass Transit Act, which has given San Franciscans BART, Washingtonians Metro, Atlantans MARTA, and cities across America thousands of buses and modernized transit systems. The 1968 Housing Act has provided homes for more than 7 million families. The Great Society also created Ginnie Mae, which has added

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more than $1 billion to the supply of affordable mortgage funds, and privatized Fannie Mae, which has helped more than 30 million families purchase homes.

The '60s also saw a nationalization of commercial power that had the potential to disadvantage the individual American consumer. Superstores and supercorporations were rapidly shoving aside the corner grocer, local banker, and independent drug store. Automobiles were complex and dangerous, manufactured by giant corporations with deep pockets to protect themselves. Banks had the most sophisticated accountants and lawyers to draft their loan agreements. Sellers of everyday products—soaps, produce, meats, appliances, clothing, cereals, and canned and frozen foods—packaged their products with the help of the shrewdest marketers and designers. The individual was outflanked at every position.

Sensing that mismatch, the Great Society produced a bevy of laws to level the playing field for consumers: auto and highway safety for the motorist; truth in packaging for the consumer; truth in lending for the home-buyer, small businessman and individual borrower; wholesome meat and wholesome poultry laws to enhance food safety. It created the Product Safety Commission to assure that toys and other products would be safe for users and the Flammable Fabrics Act to reduce the incendiary characteristics of clothing and blankets. To keep kids out of the medicine bottle we proposed the Child Safety Act.

The revolution in transportation led to the creation of the National Transportation Safety Board, renowned for its work in improving air safety, and the Department of Transportation.

In numbers of Americans helped, the Great Society exceeds in domestic impact even the New Deal of LBJ's idol, Franklin Roosevelt. But far more profound and enduring are the fundamental tenets of public responsibility it espoused, which influence and shape the nation's public policy and political dialogue to this day.

Until the New Deal, the federal government had been regarded as a regulatory power, protecting the public health and safety with the Food and Drug Administration and enforcing antitrust and commercial fraud laws to rein in concentrations of economic power. With the creation of the Securities and Exchange Commission and the other alphabet agencies, FDR took the government into deeper regulatory waters. He also put the feds into the business of cash payments: welfare benefits, railroad retirement, and Social Security.

Johnson converted the federal government into a far more energetic, proactive force for social justice—striking down discriminatory practices and offering a hand up with education, health care, and job training. These functions had formerly been the preserve of private charities and the states. Before the Johnson administration, for example, the federal government was not training a single worker. He vested the federal government with the responsibility to soften the sharp elbows of capitalism and give it a beating, human heart; to redistribute opportunity as well as wealth.

For the public safety, Johnson took on the National Rifle Association and drove through Congress the laws that closed the loophole of mail order guns, prohibited sales to minors, and ended the import of Saturday night specials. He tried unsuccessfully to convince Congress to pass a law requiring the licensing of every gun owner and the registration of every gun.

Spotting the "for sale" signs of political corruption going up in the nation's capital, Johnson proposed public financing of presidential campaigns, full disclosure of contributions and expenses by all federal candidates, limits on contributions and eliminating lobbying loopholes. He convinced Congress to provide for public financing of Presidential campaigns through the income-tax checkoff. But they ignored his 1967 warning:

"More and more, men and women of limited means may refrain from running for public office. Private wealth increasingly becomes an artificial and unrealistic arbiter of qualifications, and the source of public leadership is thus severely narrowed. The necessity of acquiring substantial funds to finance campaigns diverts a candidate's attention from his public obligations and detracts from his energetic exposition of the issues."

Fear Of The L-Word

Lyndon Johnson didn't talk the talk of legacy. He walked the walk. He lived the life. He didn't have much of a profile, but he did have the courage of his convictions, and the achievements of his Great Society were monumental.

Why then do Democratic politicians who battle to preserve Great Society programs ignore those achievements? For the same reason Bill Clinton came to the LBJ library on Johnson's birthday during the 1992 campaign and never spoke the name of Lyndon Johnson or recognized Ladybird Johnson, who was sitting on the stage from which he spoke.

The answer lies in their fear of being called "liberal" and in their opposition to the Vietnam War. In

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contemporary America politicians are paralyzed by fear of the label that comes with the heritage of Lyndon Johnson's Great Society. Democrats rest their hopes of a return to Congressional power on promises to preserve and expand Great Society programs like Medicare and aid to education, but they tremble at the thought of linking those programs to the liberal Lyndon. The irony is that they seek to distance themselves from the president who once said that the difference between liberals and cannibals is that cannibals eat only their enemies.

Democratic officeholders also assign Johnson the role of stealth president because of the Vietnam War. Most contemporary observers put the war down as a monumental blunder. Only a handful—most of them Republicans—defend Vietnam as part of a half-cen-

Who's Who

By Susan Threadgill

The big wheels in the **George W. Bush** campaign are **Karl Rove**, **Joe Allbaugh**, and **Karen Hughes**. Rove is described as "the real genius of the operation" and also as "a control freak." "[O]n a personal basis Hughes is probably closest to the governor of the three," writes **Dan Balz** of *The Washington Post*, "and they say Bush always seems more confident and relaxed when she is around." Veteran observers note that her relationship with Bush reminds them of **Margaret Tutwiler**'s with **James Baker** when they both worked for **Ronald Reagan** and George W.'s father at the State Department and White House. Allbaugh is said to be "the calming force between Rove and Hughes." The three were powerful enough to quickly dispose of **David Beckwith**, the former **Dan Quayle** aide who threatened Hughes' power as press spokesperson.

Joan Braden, who died last month, was a Washington legend. Not only was she the mother of the "Eight is Enough" family described by her husband **Tom** in his book and subsequent television series, she was also a public official (director of consumer affairs at the State Department), a famed Washington hostess, and perhaps the most successful extra-marital virgin of the modern era. By her own account, she innocently shared a shower with **Nelson Rockefeller**, a bed with **Robert Kennedy**, and various hotel rooms with **Robert McNamara**. She also described herself as an immaculate intimate of **Henry Kissinger**, the man who gave her the government job.

Speaking of **George W.**, he recently made a pilgrimage to Cape Girardeau, Missouri. Not a customary stop on the campaign trail, you say. The explanation is that **Rush Limbaugh**'s mother lives there and Rush was in town to visit her.

And speaking of **Dan Quayle**, when he was recently asked about former staffer and now *Weekly Standard* editor **Bill Kristol**'s comment that the Quayle campaign was about to call it quits, the former vice president replied, "If he was still working for me, he would not make any kind of statements like that."

Fourteen years ago in these pages **Steven Waldman** described **Norman Ornstein** as the king of quotes, a tribute to the journalistic profession's reliance on Ornstein's observations about matters political. Since then some rivals have come along to threaten Ornstein's supremacy, according to *The Hill*'s **Albert Eisele**. They include **Larry Sabato** of the University of Virginia, **Stephen Hess** of Brookings, and his colleague **Thomas Mann**, who appears to be the new king.

You probably heard the bad news for **Al Gore** in last month's poll of New Hampshire voters by *The Boston Globe*-WBZ-TV—he was only 4 percentage points ahead of **Bill Bradley**. But there was even worse news for **Steve Forbes**. At 7 percent, he trails not only **George W.** (44 percent) but **Elizabeth Dole** (14 percent) and **John McCain** (12 percent).

In August, House Speaker **J. Dennis Hastert** raised $500,000 from casino bosses and won a pledge for $1 million more from Mirage Resorts chairman **Steve Wynn**, according to **Dave Boyer** of *The Washington Times*. Hastert called gambling "a great industry" and offered assurance that the Republicans stand for lower taxes and a policy of federal "hands off" the gambling business.

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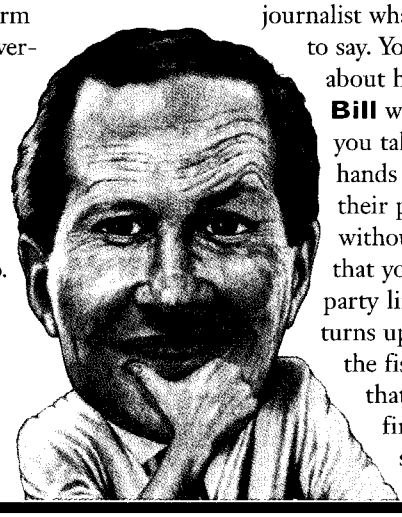
tury bipartisan commitment to contain communism with American blood and money. Seen in that context, Vietnam was a tragic losing battle in a long, winning war—a war that began with Truman's ordeal in Korea, the Marshall Plan, and the 1948 Berlin airlift, and ended with the collapse of communism at the end of the Reagan Administration.

Whatever anyone thinks about Vietnam and however much politicians shrink from the liberal label, it is time to recognize—as historians are beginning to do—the reality of the remarkable and enduring achievements of the Great Society programs. Without such programs as Head Start, higher-education loans and scholarships, Medicare, Medicaid, clear air and water, and civil rights, life would be nastier, more brutish, and shorter for millions of Americans.

If you've wondered how Independent Counsels are selected, it seems that being a Republican helps. You know about **Ken Starr**, of course. Now comes the revelation that the counsel picked to investigate **Henry Cisneros**, the former HUD secretary, is **David Barrett**, a long-time GOP activist, who himself has been involved in questionable dealings with HUD. Guess who appointed Barrett? The same judge who appointed Ken Starr—**David Sentelle**. Hillary, how could we have doubted you about the grand conspiracy! Barrett's objectivity is suggested by this description of his career by *The Washington Post*'s **Dan Morgan**: "After brief stints as an assistant U.S. Attorney in Washington and county attorney in Indiana, he made a failed bid for a U.S. House seat from Indiana in 1968. Barrett subsequently labored as a GOP fundraiser, organizer and activist, volunteering for Lawyers for Reagan in 1980. The group's chairman, **Edward L. Weidenfeld**, remembers that Barrett was 'politically seasoned and seemed to know a lot of people.'" Subsequently, "Barrett spent much of his career as a commercial lawyer with an eye for business opportunities involving HUD. When appointed, Barrett was a registered lobbyist for a large manufactured-housing lobby."

TV crews who accompanied **Hillary Clinton** to Morocco this spring were angered at being shut out of the First Lady's camel ride. Why were they deprived of such a good shot for the evening news? *Talk*'s **Lucinda Franks** got the answer. Hillary "feared she would be unable to mount the camel gracefully."

Rep. **Dan Burton**, whose indignation at the ethical lapses of the Clinton-Gore administration has been so manifest, finds himself in hot water these days. After accepting campaign contributions from AT&T, not to mention a free trip to the Pebble Beach National Pro-Am golf tournament, he has, according to *The Hill*'s **Andrew Rice**, intervened with the General Services Administration to get a rule change to benefit the telecom giant. What makes this more than a tad unseemly is that Burton's Government Reform Committee oversees the GSA.



There is said to be considerable feuding in **Al Gore**'s camp. As practically everyone knows, **Bob Squier** and **Carter Eskew** are not the best of buddies. Pollsters **Celinda Lake** and **Mark Penn** are vying for the same turf. **Tony Coelho** has already gotten rid of **Ron Klain** and campaign manager **Craig Smith** is reported to feel threatened by Coelho. As of now, according to **Susan B. Glasser** and **John Mintz** of *The Washington Post*, the Eskew-Squier discord is being handled by having Eskew deal with Squier's partner, **Bill Knapp**.

Back to **Lucinda Frank**'s *Talk* piece. It quotes **Hillary Clinton**'s aide, **Melanne Verveer**, as saying of the First Couple, "we've slowly seen a physical passion come back into their lives." Here's what **Dick Morris** wrote about this news in his *New York Post* column:

"In Hillary's den, you don't talk about her unless you tell the journalist what Hillary wants you to say. You certainly don't talk about her relationship with **Bill** without her OK. And you take your life in your hands if you talk about their physical relationship without first making sure that you are echoing the party line. Unless Melanne turns up soon sleeping with the fishes, we may assume that she said what the first lady wanted her to say."

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The Washington Monthly Journalism Award

OCTOBER 1999

WILLIAM FULTON AND PAUL SHIGLEY

"Operation Desert Sprawl"

Governing Magazine

Ever since the mid-1980s, Las Vegas has been trying to transform itself from the city of vice to the city of nice. Generally, property owners have paid for infrastructure projects. But Las Vegas is trying a new tack: They want developers to start picking up the bill. The battle lines have been drawn, and it's a skirmish that could soon be replicated in municipalities across the country.

DAVID PLOTZ

"Busted Flush"

Harper's Magazine

Conservative South Carolina has more places to gamble than any other state. In his well-written piece, Plotz explains how a small group of Palmetto state lobbyists, politicians, and machine owners transformed a small-time illegal gambling business into a multi-billion-dollar legal one. He also demonstrates how the state's video-poker business targets the lower middle class; video parlors, says Plotz, are filled with "a whole lot of people who don't have too much money squandering it."

PETER S. GOODMAN

"An Unsavory Byproduct"

The Washington Post

The poultry industry of the Eastern Shore area produces 600 million birds a year, feeding the nation's still-growing demand for chicken. It also turns out more than 750,000 tons of manure annually. That waste—more than produced by a city of four million people—seeps into groundwater, with a devastating impact on the region. The Post *discovered that the poultry industry has consistently escaped penalties for violating environmental laws, thanks to its political power as the area's largest employer.*

JASON DE PARLE

"Leftover Money for Welfare Baffles, or Inspires, States"

The New York Times

The welfare reform bill of 1996 has produced an unexpected result: States are receiving more federal money than they know what to do with. DeParle provides an in-depth look at how states are using their newfound bounty, describing how much of the windfall has failed to translate into new benefits for the poor, and how the states slowest to spend the anti-poverty funds are also some of the neediest.

THE MONTHLY JOURNALISM AWARD is presented each month to one or more newspaper, magazine, radio, or television stories (or series of stories) that demonstrate a commitment to the public interest. We are particularly interested in reporting that explains the successes and failures of government agencies at all levels and of other institutions such as the media, corporations, unions, and foundations that contribute to the existence or solution of public problems. Please send nominations (including two copies of the article or broadcast text) to The Washington Monthly Journalism Award, 1611 Connecticut Ave. NW, Washington, DC 20009. Or e-mail us at **editors@washingtonmonthly.com**. Nominations for stories run in September are due October 1.

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Deadly Surprise

Will Y2K cause chemical disasters?

BY KAREN CHARMAN

HERE'S A SOBERING THOUGHT: AT least 85 million Americans live within five miles of a facility that handles toxic chemicals. And there is no information on what steps a huge number of these companies have taken to ensure they won't have catastrophic accidents because of Year 2000 computer bugs lurking in their operations.

The 1984 Bhopal disaster demonstrates how bad an accident at a chemical plant can be. Forty metric tons of methyl isocynate, a highly toxic organic chemical used to produce pesticides, were released into the air at the Union Carbide plant in the densely populated city of Bhopal, India, after water got into the tank and reacted with the chemical. Two thousand people died and 100,000 were seriously injured. Ten years after the event, 50,000 remained partially or totally disabled, according to the International Medical Commission on Bhopal.

Could the Y2K bug cause similiar disasters here? The answer appears to be yes. The larger multinational companies have made a serious effort to discover, test, and fix their Y2K bugs, according to Gerald V. Poje, a member of the U.S. Chemical Safety and Hazard Investigation Board. But there is little information about how—or whether—vast numbers of small and medium-sized companies that manufacture, process, handle, and/or dispose of toxic chemicals are dealing with the task. More disturbing yet, Poje, who sits on the government body charged with both investigating chemical disasters and working with industry and communities to prevent them, said nobody even knows exactly how many of these companies exist or where they all are.

As almost everyone knows by now, the Y2K bug itself is a simple mistake. Computer programmers abbreviated the date in their computer codes so that, say, 69 was understood to mean 1969. When the date rolls over to 00 at the end of this year, computers won't know it is 2000, not 1900, which could cause them to malfunction or crash. The glitch resides in billions of lines of mainframe computer code, numerous personal computers, and an unknown but substantial percentage of the world's 20 to 70 billion microchips, fingernail-sized stand-alone computers "embedded" into everything from nuclear missiles, cars, and traffic lights to pacemakers, coffee makers, chemical plants, and reservoirs.

How could Y2K cause a chemical disaster? Computers run the "distributive control systems" that keep vats of volatile chemicals swirling at the appropriate levels of flow, pressure, and temperature at most plants. At midnight on January 1, 2000, a chip that failed to recognize the date could freeze or "zero out," causing the whole computer to stop working. The chemicals would no longer be circulating safely, and if there were no backup systems (or if they too failed) an "uncontrolled reaction" might be the result. "That could generate its own heat and pressure," as one engineer puts it, which might soon be too much for the vessel containing the chemicals. They could spill out, and turn into vapor. If the chemicals were highly flammable, like natural gas, styrene, or toluene, they could ignite, causing deadly fires or explosions.

Engineers insist that this scenario is extremely unlikely, because someone would be on hand to help, and most spills would be funneled off by safety valves before they became a real danger. Still, they are possible, especially because the Y2K bug exists on so many chips and could cause multiple simultaneous failures. The only way to be sure they won't occur is to remove the bug—and that is far from easy.

Consider the task facing a medium-sized chemical company, which typically has 8,000 computer programs with 12 million lines of code, according to Den-

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nis Grabow, who has written on the Y2K problem for *Chemical Engineering* magazine. Since one out of every 50 lines contains a date, that works out to about 240,000 lines of code that must be changed. For smaller companies, that translates into three years of labor and $30 million just to fix their software. This estimate does not include dealing with embedded chips, which are expected to give industry its biggest Y2K headaches because they can be harder to find and test. To make matters worse, most companies' systems contain layers of different computerized product from several manufacturers. This complicates the task, because companies must check with their suppliers on whether the equipment has a Y2K fault, and answers aren't always quick to come. All these obstacles mean that most, if not all, companies are fixing only their "mission critical" systems, those they deem essential to their operations, says Grabow.

Despite the threat, the government appears to be asleep at the wheel. President Clinton's Y2K czar, John Koskinen, claims that Y2K is the biggest management problem the world has faced in the past 50 years. Yet neither the U.S. Environmental Protection Agency nor the Occupational Safety and Health Administration, the two federal agencies responsible for protecting the public and workers from environmental hazards, have surveyed industry to see what they are doing to find and fix their Y2K bugs. Most federal public servants either downplay the threat or say it is up to the states and local governments to make sure chemical catastrophes don't occur within their borders. But it appears that most states and local governments either don't recognize the threat or are not prepared.

The following computer-related incidents—some of which occurred during Y2K testing—portend what Y2K might bring:

—The Olympic Pipeline exploded on June 10 in Bellingham, Wash., after the company's control-room computer at one of its plants crashed, killing three people. The *Seattle Times* reported that after the back-up computer came on, a valve shut, building up pressure until the pipeline burst.

—Four million gallons of raw sewage spilled into a suburban park in Los Angeles on June 17 after a computer closed an underground gate that sent the muck spewing through a manhole during a Y2K test. *The Los Angeles Times* reported clean-up costs for the spill were estimated at $100,000.

—Computers crashed at Unit 2 of the Peach Bottom Atomic Power Station in Pennsylvania on Feb. 8 during a Y2K test. Control-room operators had to rely on manual gauges for the seven hours it took to get the monitoring computers back online.

There have been concerted efforts within the chemical industry during the past three to four years to try to prevent Y2K problems. Rob Bradford, a special consultant to the Chemical Manufacturers Association on Y2K, says chemical companies are being careful because of their liability in case there is an accident, and he's confident there won't be any major disasters. "We don't think the chemical industry's going to be on the front pages of the newspaper," he says.

But others don't share Bradford's optimism. Gerald Poje points out that the 6,000 questionnaires sent out to other segments of the chemical sector by trade associations representing them only garnered 300 responses. Although he said those 300 "seemed diligent in their response and effort to meet Y2K-compliance deadlines," they hardly provide a scientific extrapolation of what the smaller and mid-sized companies are doing. To get an idea of the size of the chemical universe out there, consider that the EPA estimates that more than 275,000 establishments nationwide handle hazardous chemicals. And that estimate may be low, since California alone lists 130,000. In trying to assess chemical companies' Y2K status for his clients, Dennis Grabow says he often finds companies very reluctant to talk about it. He recounts one exchange with the Y2K program manager of a large corporation: "I told her that I'd studied [the Y2K issue] for several years, had probably given 150 speeches in technical areas and know all about it, so I'd like to just cut to the chase. Her response was 'well, you probably do, and the questions I know you're going to want to ask, I probably can't answer.' She said she'd direct my questions to the company's lawyers, which inspires absolutely no confidence."

Power Failure

Part of the problem is that chemical companies are extremely dependent on electricity, not only to keep their business operations going but also to prevent accidents. Even if a company's own computers are prepared, a glitch in the electrical network caused by the Y2K bug could disable the complicated systems these companies rely on to keep their chemicals in a stable condition.

Many questions have been asked already about the reliability of the electricity supply in the face of Y2K. The general consensus—led by the North American Electric Reliability Council (NERC), an industry group charged with coordinating electricity

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sector efforts on Y2K, and President Clinton's Y2K czar, John Koskinen—is that Y2K will not cause widespread power outages.

But not everyone accepts this rosy scenario. Utility industry Y2K consultant Rick Cowles—echoing Gerald Poje in the chemical sector—says not enough information is known to rule out significant power blackouts. First, he says, the 251 entities NERC has collected information on only comprise 3 percent of those that are listed as suppliers by the Edison Electric Institute, the trade association of for-profit electric utilities. Second, based on his own professional experience, he believes a "significant minority" of the companies NERC lists as ready are being "a little fast and loose with their Y2K readiness statements." Third, despite assertions to the contrary, he says NERC has almost no information on independent power producers (IPPs). Although IPPs only account for about 12 percent of the power-generating capacity nationwide, they are the fastest-growing segment of the electric industry and in some areas—particularly the Northeast—account for a much greater proportion of the power provided. Cowles estimates that IPPs provide about 50 percent of the power in his home state of New Jersey, a densely populated major chemical producer with the country's highest concentration of toxic air and water releases.

Like most other businesses, chemical and power plants depend on things outside their direct control. In fact, according to the Institute of Electrical and Electronics Engineers, Inc. (IEEE), the oldest and largest international nonprofit association of engineers and computer scientists in the world, this web of interdependency makes Y2K unsolvable. In an open letter to several congressional committees on June 9, 1999, the institute's Year 2000 Technical Information Focus Group said the way industry and government have been attacking the problem is technologically all wrong. "If interconnected systems are made compliant in different ways, they will be incompatible with each other. In fact, efforts to become 'Y2K compliant' in one place could be the direct cause of such failures in others," the IEEE wrote. The letter also points out that many Y2K failures are inevitable because some may not be able to be detected before they fail. Furthermore, the sheer amount and complexity of all the software that runs most systems makes it impossible, considering the time constraints, for complete testing, which the IEEE says is "a recipe, almost a commandment, for widespread failures."

What, Me Worry?

Whatever the dangers, it's clear that chemical companies can't work all this out by themselves. Yet the government's response thus far has been little more than passing the buck. The EPA and John Koskinen, who has chaired the President's Council on Year 2000 Conversion since its inception in February 1998, say the federal government has no authority to mandate Y2K fixes in chemical plants. Instead, both have developed "cooperative partnerships" with industry, which have consisted of providing information. Koskinen says the council has not pushed any government agency to regulate on Y2K, because that would require a specific statute. "Our biggest obstacle in dealing with some of the industry groups was getting over their concern that somehow we were going to be telling them what to do or pretend we had authority to regulate that we didn't," he said.

In the meantime, Koskinen acknowledges that not much is known about what many small and medium-sized chemical companies are doing about Y2K. At the urging of the Chemical Safety Board and Sens. Robert Bennett (R-Utah) and Christopher Dodd (D-Conn.), the chair and co-chair of the Senate Special Committee on the Year 2000 Technology Problem, he hosted an industry roundtable at the White House during the last week in August to find out. Koskinen doesn't seem to find the information gap very disturbing, and he says that "small and medium-sized companies, by definition, have small and medium-sized problems with challenges that can be met if they deal with them." (The Chemical Safety Board's Gerald Poje disagrees, saying that small and medium-sized chemical companies could have Bhopal-sized accidents if they were working with highly toxic material and were located in heavily populated areas.) Getting the companies to address Y2K is, of course, the challenge. Koskinen also acknowledges that many smaller companies are waiting to see what breaks during the rollover before trying to fix their systems. Although he calls that "irresponsible behavior," he says ultimately it is up to the companies to decide to address Y2K.

Like other government departments, the EPA has focused its efforts on trying to get information out to facilities at risk. According to Don Flattery, who is responsible for liaisons with industry on Y2K issues, the EPA cannot require Y2K status reports from companies that deal with hazardous chemicals, let alone demand that they find and fix their Y2K bugs and verify that it's been done. The Occupational Safety and Health Administration (OSHA) produced a sin-

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gle-page fact sheet on the problem last year and has been distributing it to workplaces. When asked what workers are supposed to do to ensure their safety, OSHA Deputy Director of Policy Francis Frodyma says it isn't up to his agency. "It's the employers who have the responsibility to protect their employees." He says OSHA presumes employers are doing enough Y2K testing to meet their requirements to provide safe workplaces.

What about the workers? After all, OSHA does have a regulation, the Process Safety Management Standard, which requires that workers get a chance to participate when procedures involving hazardous materials are altered. But this is not happening in any systematic way with regard to Y2K, says Deborah Solomon, a lawyer with the Paper, Allied-Industrial, Chemical and Energy Workers' International union (PACE) who is also working on a program to educate workers on Y2K issues in their workplaces for the Clearinghouse on Hazardous Waste Worker Trainings. "Many employers are not training their workers in Y2K awareness," she says. "They're not involving them in the contingency planning process, and they're not letting them know how they should be prepared personally for changes in their job functions." Solomon's observation is not based on hard statistical data but on her daily conversations with workers.

As for Congress, Rep. Stephen Horn of California and Sens. Bennett and Dodd have by many accounts done a yeoman's job of trying to move the government to action via their committee on Y2K. But their efforts have been hampered by small resources and lack of authority. "The committee, by design, cannot challenge anybody else's turf," one source said. "It can only refer to another committee." The source added the committee would never have been created if it had been given the power to write legislation, appropriate money, or direct government departments to do anything.

Don't Think Local

So who is really in charge when it comes to protecting us from possible chemical accidents on and after Jan. 1, 2000? Those in the federal government—Koskinen, the Senate Y2K committee staff, and the EPA—say it is up to states and local governments. And what are they doing about it? Fred Millar, the environmental program director for the Center for Y2K and Society, spends much of his time contacting and trying to prepare local communities throughout the country on how to deal with Y2K, and he's not hopeful about what he sees. "State and local governments aren't doing a damn thing about what's going on outside their own agencies—they're not doing independent auditing of electric, gas, food, or water," he says.

The National Association of State Information Resource Executives (NASIRE), an organization representing state chief information officers, has been working to coordinate state government efforts to deal with Y2K since 1996. In testimony before the Senate special committee on Y2K in July of this year, NASIRE president Mike Benzen said 20 states were 90 percent done with fixing their "mission critical systems"—those the states consider necessary for maintaining their business—and 38 were at least 75 percent complete. NASIRE's information was self-reported by the states.

Others claim that many states are simply unaware of the extent of the problem. Testifying before the Senate special committee on Y2K this past May, Jane Nogaki of the New Jersey Work Environment Council said the New Jersey Department of Environmental Protection seemed ill-informed about the state's chemical plants and had not bothered to send anyone to the conference the Chemical Safety Board held last December on Y2K. "Thus it appears the DEP, the agency charged with preventing toxic disasters, has put its head in the sand when faced with challenges posed by the 'millennium bug,'" she concluded. She added that no other state agency seemed to be independently verifying "even the most basic assertions" from chemical facilities.

As for counties, they appear to be even less well-prepared. The National Association of Counties (NACo) has conducted two surveys of Y2K readiness among 500 randomly selected counties. Fifty percent of the counties polled in the first survey last November said they had no plans to address Y2K issues. In the follow-up survey in May, that number dropped to 26 percent. Yet NACo spokesperson Shawn Bullard says counties are well-prepared because they have civil defense plans and deal with emergencies all the time. In other words, they are prepared to deal with the disaster after it happens, not to prevent it.

By then it may be too late for an effective response. If there are multiple disasters, says Eric Lamar, the hazardous materials director for the International Association of Fire Fighters, which represents the nation's emergency responders, we're pretty much on our own: "Most communities are only set up to deal with one or two significant emergencies. So if you operate a big [chemical] plant, when the date rolls over to 2000, you should probably assume that emergency responders will not be available." ●

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Memo of the Month

U.S. Department of Justice

Environment and Natural Resources Division

MEMORANDUM

To: All EES Personnel
From: [redacted]
Re: Information About a Colleague

This memorandum is to notify you of a change that will be occurring of us at EES. Our colleague has requested my assistance in informing you of this matter.It will require someshort term adjustment and dissemination of information on a subject which many
of you probably know very little about (as I did several weeks ago).Consequently, I feel that it is important to let you know of the change and of EES management's support for our colleague's personal action.

One of EEs's trial attorney's, Bob [redacted], will be continuing a personal transition that began several months ago. Beginning on Monday, August 23, 1999, Bob will be taking a significant step in a medically supervised gender transition when he begins living full time as a woman.

ENRD senior management, as well as our Deputy Chiefs,Assistant Chiefs and a few other EES personnel are already aware of this impending change, and all of us have expressedsupport for Bob's decision. While each of us is entitled to our own personal thoughts and beliefs, EES, ENRD,and the Department as a whole, are committed to a safe and healthy work environment where employees of diverse backgrounds and beliefs can work free of harassment, intimidation or discrimination, can perform well in their jobs and can contribute to the overall success of our efforts. In Bob's case, he hasdemonstrated that ommitment over many years by enthusiastically and skillfully serving as trial counsel, including leadcounsel, on some of our most significant cases. We have no doubt that he will continue to perform at a high level after he assumes his new female identity, and new name of Pamela [redacted]. I am hopeful that you will continue to be supportive of Pamela in the performance of her job.

We have invited a representative from DOJ's Employee Assistance Program to hold two informational meetings on the subject of gender transition. The first will be tomorrow, August 3rd from 3:30-4:30pm, in the 13th floor conference room and anyone in the section is welcome to attend. The second will be scheduled in early September with details to follow. In addition, a fact sheet has been placed in the EES directory as document number 366564. Finally, you will find a personal letter to EES from Bob attached to this memo.

know one issue that people may have will concern use of restrooms. We have worked out with Bob an interim plan for that. After August 23rd, Pamela will use only the women's restroom on the 12th floor, and will place a card over the door handle when she is using that facility.Pamela does not intend to use the 6th floor locker rooms. If anyone still has concerns about this or any other issue, you can confidentially raise it with me or any other section manager or with the Employee Assistance Program by contacting [redacted] All contact with the EAP is confidential.

EES management is working to support Bob during this transition period and to address this transition in a dignified and sensitive manner, We ask that you do the same.

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Smoke Gets In Your Eyes

Why did one of Washington's most respected law firms agree to represent Big Tobacco?

By Amanda Ripley

Harry McPherson has a copy of *The Nation* lying on his expansive desk in his corner office at Verner, Liipfert, Bernhard, McPherson and Hand in downtown Washington. The magazine subscription is a gift from his daughter, an amulet meant to ward off the evils lurking in her dad's chosen profession.

The subscription, McPherson says, smiling, "is just so that I won't become hopelessly enslaved to the corporate world." His daughter lives in Greenwich Village and writes for the *Village Voice*—a world away from Gucci Gulch, where McPherson and his fellow lobbyists do business. But McPherson sounds proud of his daughter's chosen vocation, aware of how ironically appropriate it is that his child would work for one of the aging landmarks of the left.

From 1965 to 1969, McPherson worked as White House counsel to Lyndon Johnson. He was, by almost all accounts, an icon of integrity, instrumental in helping to construct Johnson's Great Society legacy. And depending on whose lore you believe, McPherson was also the man who urged his boss to resign and to end the war in Vietnam. After he left the White House, McPherson authored a beautifully written autobiography, *A Political Education: A Journal of Life with Senators, Generals, Cabinet Members and Presidents.* In news clippings, his name is almost always preceded by the word "wise."

So after he came to Verner Liipfert in 1969, it was only natural that McPherson would bring along a team of friends and Democrats—who were one and the same back then: Lloyd Hand had worked as a staffer for Johnson when he was the Senate majority leader; Berl Bernhard had worked for JFK and LBJ and had run Edmund Muskie's unsuccessful 1972 presidential campaign. More recently, the firm has signed up even bigger-name ex-politicos—Ireland peace broker and former Senate Majority Leader George Mitchell, former Texas Governor Ann Richards, and former senator and Treasury Secretary Lloyd Bentsen. Even after Republican Bob Dole joined the firm in 1997, Verner Liipfert retained its reputation as a Democratic stronghold—the kind of firm clients turn to when they need to get in the doors of minority party offices on Capitol Hill.

So nobody among Verner Liipfert's army of contacts and friends could explain what happened in 1997. That year, Verner Liipfert took more money from the tobacco industry than any other lobbying firm in Washington. Never before had the firm worked on tobacco's behalf. But over the next two years, Verner Liipfert would gross a whopping $18 million from tobacco companies looking to negotiate a legislative settlement with Congress.

To consumer advocate Ralph Nader, stories of honorable lawyers peddling their influence holds zero shock value. "All the lawyers who were special assistants do it all the time," he says. Still, even Nader was surprised when the players in that tired skit turned out to be Harry McPherson and George Mitchell. "I wouldn't have thought that those two gentlemen would have risked that much," he says. In June of 1998, the efforts to reach a tobacco settlement collapsed. But the attorneys at Verner Liipfert still got paid. For them, tobacco represented the most lucrative work they had ever known.

But for all the longtime admirers of the firm's lineup of progressive-minded leaders, the decision to represent tobacco was confusing at best, indefensible at worst. How to reconcile that Verner Liipfert had

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traded in its donkey mascot for Joe Camel? How could prototypical "great men" like McPherson and Mitchell be taking gobs of money from an industry that has targeted 13-year-olds as a key market? From the manufacturers of a drug that is responsible for nearly one in five deaths in the United States and that drains the economy of more than $100 billion in health care costs and lost productivity each year?

Staunch tobacco opponents say there is nothing mysterious about the firm's decision. Not even the so-called Democrats at Verner Liipfert could resist the sheen of piles and piles of tobacco money. "It was the biggest stealth lobbying campaign that was ever conducted," says John Banzhaf, a public-interest law professor at George Washington University and head of Action on Smoking and Health. "Everybody of every political stripe was being bought out by the tobacco industry."

But McPherson calmly rebuts the clichéd, sell-out accusations. Even now that he knows how the tobacco story turned out, he stands wholeheartedly behind the decision to represent tobacco. And then he goes one better: With a straight face, McPherson says working for Philip Morris was a public service.

Hired Hand

Verner Liipfert was transformed by its tobacco work. In 1997, it became the No. 1 lobbying firm in terms of revenue. The boost came almost entirely from tobacco money. "That money made them ... one of the premier lobbying firms in town," says a former partner who recently left the firm. "Before that, they weren't a Washington powerhouse."

And yet McPherson does not talk in terms of profits when he speaks of his decision to represent tobacco. He talks about the greater good.

"I was convinced then and remain convinced that that settlement was in the best interest of the country," McPherson says. Other partners at the firm refuse to discuss the tobacco work on the record, deferring to McPherson to make the case. "Harry was and still is the heart of the firm. If Harry believes in it, the firm believes in it," says one attorney who recently left the firm.

And indeed, McPherson serves as an able spokesperson. He patiently answers my inquiries about the decision to represent tobacco—standing up at one point to pace back and forth behind his desk, but never becoming defensive or dismissive. To him, the decision was all very logical: Tobacco companies were not asking him to claim that cigarettes were a force for good; they were asking him to help them change for the better. "We never ... made the case for tobacco. We weren't asked to and didn't do it," he says, more than once.

What did happen is that in 1997, tobacco executives approached George Mitchell in New York with an offer he had trouble refusing: Come help broker an unprecedented and historic settlement between tobacco, the state attorneys general, and Congress. The idea reportedly captured Mitchell's imagination and his yearning to do something meaningful after leaving the public sector. "I can see George looking at this and not looking at it in terms of evil or even in terms of fees," says one former attorney at Verner Liipfert. "He would look at it as a problem to be solved."

But as with most major decisions at the firm, it was McPherson and Bernhard who needed to be convinced. So the two of them met with the CEOs and general counsels of Philip Morris and RJR Nabisco to hear what they had in mind. It took several meetings, McPherson says, before he believed in the cause. "When it became clear that it really was real, that these people were really prepared to offer major changes, it seemed to us to be an extremely good deal for the public if the United States could get this kind of a settlement," he says.

McPherson gave the same earnest speech to his fellow partners when he pronounced his decision to represent tobacco at one of the firm's monthly meetings in 1997. He stood up after lunch and delivered the big news without a hint of self-doubt. "Harry announced it as this great opportunity to achieve good by doing good, the ultimate win-win situation. They were going to help children and health and get money," remembers a former partner at the firm who is now practicing elsewhere in D.C.

To be fair, there is a strain of logic running through McPherson's justification. It would indeed have been a great public service if he and his colleagues had been able to help shape the perfect deal—in which the tobacco industry agreed to pay out billions of dollars and the government imposed meaningful regulations to rein in the company's nefarious marketing tactics. And it's hardly the first time Washington lawyers have called upon the good-Samaritan defense to justify working for tainted clients. But in McPherson's case, the rationalization would get stretched threadbare.

After McPherson gave his public-service speech to his partners, they did not exactly stand up and salute their leader. "It was bullshit," the former partner goes on to say. "People didn't entirely buy the notion that they were doing this great and noble cause

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... People knew they were going to make a zillion dollars." According to this former partner, not even Harry McPherson bought the do-gooder speech. "Look, Harry's a sophisticated guy; they knew they were going to make a lot of money. And remember, the purpose was to get a deal that would be acceptable to tobacco."

Still, no one protested very loudly at that meeting, according to attorneys who were there. Says one recently-departed partner: "There were some people in the firm who had some serious concerns about [the tobacco clients], but there were very few in my judgment, and the reason is that the culture of the firm—in my view—is to reward successful marketing." The ability to land big clients is the most valued trait of a large firm's "rainmaker" partners. After all, no firm climbs to the top of *Fortune* Magazine's "Kings of K Street" list—as Verner Liipfert would in December 1998—based on its benevolence.

How could prototypical "great men" like McPherson and Mitchell be taking gobs of money from an industry that has targeted 13 year-olds as a key market?

Verner Liipfert employs more than 185 attorneys and consultants. Like most big firms, it is hardly a participatory democracy. If attorneys lost sleep at night over working for tobacco, they weren't likely to vent their existential fears the next morning around the water cooler. Says a former partner: "That was not a place where a lot of people would be verbal about things. Those who became verbal tended not to be there anymore."

But a few attorneys at Verner Liipfert were uncomfortable about the tobacco clients, even if McPherson was not. While he visited about 20 different senators and a dozen members of the House on behalf of big tobacco, at least two associates asked to be transferred to other projects for moral reasons. McPherson says he did not stop them.

Jared H. Jossem worked in Verner Liipfert's Hawaii office and learned about the tobacco representation via a company memo. He reacted to the news with quiet dismay. "As a recovered cancer patient myself, I obviously had personal reservations," says Jossem, a partner at Verner Liipfert until he left the firm last year. "However, given the governance structure of the firm and my geographic remoteness, I had no opportunity to have any impact on that engagement."

No Deal

In September of 1997, a dozen senators met on Capitol Hill to listen to McPherson and tobacco-company lawyers sell their proposed settlement. One Senate staffer whose boss was involved in the negotiations remembers a surreal quality to that meeting. "There was sort of an awkwardness in the room for some of the senators there. It was McPherson hanging out with the bad guys," the staffer says. And when McPherson went to work trying to sell the deal to the lawmakers, his pitch fell flat. "The reaction was a series of questions from senators and staff pointing out that this wasn't such a good thing," the staffer recalls. "It was obvious to the staff what the problems were, and I don't think McPherson did a very good job of answering those concerns ... .He was putting a nice face on everything. He kept arguing it was good for the public health." The original deal the tobacco industry—and McPherson—brought to Congress began to crumble under scrutiny. While the state attorneys general had found much to like in the proposed settlement, members of Congress were not so easily persuaded. And since they hadn't been involved in the shaping of the initial deal, they were quick to criticize.

Under the deal Verner Liipfert touted on the Hill, tobacco execs would have agreed to pay $368.5 billion to the states and tack on a 62-cent price increase on packs of cigarettes. A hefty financial penalty, beyond a doubt. But the businessmen would have reaped a quiet, long-term windfall for their troubles. To begin with, critics say the Food and Drug Administration regulations established by the deal would have been easy enough to bypass. And, most importantly, the deal would have granted tobacco companies complete immunity from future class-action suits. Individual lawsuits would be capped at $5 billion a year, and companies would be shielded from most civil suits over past mistakes.

"Throughout the entire thing, there were loopholes—in every section," says the Senate staffer. "This tremendous immunity provision from lawsuits ... was insane."

Nobody in Congress wanted to stand up for a

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package that was summarily blasted by health organizations and former FDA head David Kessler. To do so would have sparked accusations that members had protected the evil cigarette manufacturers. So, in early 1998, members of Congress introduced their own bills, many of which would have watered down the legal immunity and boosted the financial penalties.

Any pretense of civil detente vanished that spring. In April, tobacco executives abandoned the settlement talks and declared war on the proposed legislation. They unleashed a $40 million advertising campaign and spent millions more on lobbyists, fighting regulations with the same scorched-earth tactics they've used for decades. And they won. By June, the tobacco bill sponsored by Sen. John McCain (R-Ariz.) was officially dead.

Verner Liipfert continued to receive money from tobacco companies after the industry had abandoned the settlement idea. But McPherson flatly denies that his firm had anything to do with efforts to squash the bill. He says its role diminished significantly once the tide had turned. "We did not do any lobbying to kill the bill. That was not what we had been retained for," he says. But if tobacco clients had asked him to kill the bill? Then he would have refrained? "I don't know whether we would have," he says. "It never came up."

To hear McPherson tell the story of the failed tobacco talks, it was politicians who blew an opportunity, not tobacco. The White House and Congress refused to take a stand in support of a reasonable deal, McPherson says, which led to a bill that the tobacco industry could not possibly accept.

But anti-tobacco activists say the settlement McPherson and his colleagues were pushing on tobacco's behalf was not in the public interest and never was. "The deal was horrible," says Banzhaf. "Any reasonably astute Washington firm ought to have realized that this was not a very good deal, this was not in the public interest."

Laissez-Faire Lobbying

Despite its massive fees, Verner Liipfert was never as integral to the tobacco discussions as the partners had hoped, says one former partner. "They were getting paid more for who they were than what they did," the partner says.

Matthew Myers, executive vice president and general counsel for the Campaign for Tobacco-Free Kids, was at the table throughout the original settlement talks. He says Verner Liipfert's attorneys were hired to lure people into the room, but not to impact what happened there. "They never played a substantive role, period," Myers says. "In one respect, it's almost embarrassing because George Mitchell was clearly hired entirely because of his name ... .No skill of his was ever used."

In his biography of notorious trial lawyer Edward Bennett Williams, *The Man to See*, Evan Thomas cites a *Fortune* magazine article which illustrates the phenomenon of noble esquires trading their reputation for gold. This time, instead of Mitchell and McPherson lending their legacy to a client, it was Thomas Corcoran and James Rowe—"two New Dealers who had stayed on to become enormously influential Washington lawyers," Thomas writes. At one point during the Johnson administration, the duo came before a Federal Trade Commission antitrust hearing on behalf of their client. But throughout the proceeding, they said not a word. "[They] merely sat at the counsel table while another lawyer from another firm presented the case." One of the FTC commissioners was up for reappointment at the time, and it was no secret that Rowe had Johnson's ear. So the men's presence alone served their client's interests.

McPherson insists his firm's role was just what he had expected it to be. At the same time, he concedes that the major tobacco companies already had other firms serving as their "principal negotiators." But if McPherson knew from the start that he would not be intimately involved in shaping the deal, it's hard to understand how he thought he would perform a public service. He would have had to have enormous faith in his tobacco clients if he had signed up to flack whatever deal they ended up backing and still believed he would be serving the country's interests.

"Here's the problem with Harry McPherson's reasoning: If he concluded in the middle of the negotiations that the deal was no longer in the public's interest, he would have had to withdraw. And you can't withdraw," says a partner at another major Washington law firm.

Apparently, Verner Liipfert did not sell its brokering skills for $18 million; it sold its reputation. Even if McPherson's reasoning held up in 1997, it wilts under the glare of hindsight.

Now we know that McPherson and his colleagues did not perform a lasting public service. "If the public interest was the principle on which they were operating, they lost their way in the end," says Myers. Verner Liipfert may have overestimated the prospects for a "win-win" as much as the tobacco companies overestimated their hopes of buying their way into a beneficial settlement. "One of the great miscalculations the tobacco industry made was that if they purchased

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the most powerful Republican lobbying firms and the most powerful Democratic firms—combined with their former contacts—that they would be able to pass an agreement without major resistance," Myers says. Instead, what the country got was a "tragedy," he says.

Last November, the tobacco companies settled with 46 states, agreeing to pay them $206 billion over 25 years. The other four states had already accepted a $40 billion settlement over the same period. Already, it's apparent that much of the money will not be going toward anti-smoking initiatives. Mayors and governors across the country have claimed the funds for their pet projects—from school computers to better sidewalks to lower property taxes.

With a straight face, McPherson says working for Philip Morris was a public service.

"There was a golden opportunity to make fundamental changes that could have made the difference in the health of millions of Americans," says Myers. "And in its place we've returned to a war of attrition. Both sides battling ... a long-term, small-step-by-small-step battle where the price that gets paid is people's health."

The Road Well Traveled

There is a long tradition of lawyers who come to Washington to do good—and end up just doing well. Whether they like it or not, their advice becomes less important than their names. It would be almost tragic to watch their falls from grace, if they weren't making quite so much money in the process.

The legacy may have started in 1947, when three prominent New Dealers left public service to start the law firm of Arnold, Fortas & Porter (now Arnold & Porter). In private practice, Thurman Arnold, Abe Fortas, and Paul Porter kept their liberal badges polished by representing the Black Panthers and McCarthy-era accused communists. The firm has always boasted a strong pro bono program, as well. But all the while, Philip Morris has been one of Arnold Porter's biggest clients. The split personality never appeared to bother Arnold, Fortas, and Porter—nor Rowe, Corcoran, or Clark Clifford, for that matter, who took similar paths in the era of wise men turned wealthy men.

Williams, a criminal defense attorney infamous for representing mobsters and spies, simply did not dwell on the ramifications. "[T]here is no outward sign that he ever engaged in any kind of serious self-examination. He may well have searched his soul while kneeling down at morning mass, but publicly he never questioned the contradictions of his life," writes Thomas.

Usually, attorneys justify representing dubious clients by waving around a copy of the Constitution. They say that it simply does not matter what individuals (or corporations) have done; everybody deserves a defense, the best defense they can get. What most of them really mean, of course, is that everybody deserves a defense, the best defense they can afford.

But McPherson says just the opposite: that if tobacco had asked him to defend its health record, he would not have done so. It would have been wrong, he says. "If the question had been to go to the Hill ... and argue that tobacco is not harmful or that it hasn't been proven to be harmful ... I don't think we would have done that," McPherson says. "We wouldn't have wanted to. You've got to believe at least somewhat in what you're doing."

But as McPherson is the first to admit, he never had to make that decision. The tobacco executives never asked him to. And if they had, former members of his firm say, the answer would not have been so obvious. "I don't believe it," says a former partner. "If tobacco had come to them, you would have heard the great constitutional argument: Everybody deserves a defense."

Verner Liipfert is hardly a standout in the lawyerly race to the bottom. Law firms, especially large, gilded ones, do not make business decisions based on a moral calculus. Political opinions may figure into the debate, but they do not break or make big deals. Still, McPherson claims his firm has turned clients away for ethical reasons outside of the ones they are required to consider by the D.C. Bar. He refuses to say which clients or which reasons, though, and the former partners I spoke with could not remember any specific examples.

Over the last couple of years, law firms' always-impressive abilities to justify their fees was tested when European banks and corporations looked to them for help in resolving lingering Holocaust-era disputes. The cases provoked unpleasant debates in even the most cushy firms.

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Wilmer, Cutler & Pickering, for example, has steadfastedly refused to represent tobacco. But, after much intra-office debate, that firm decided to represent German companies accused of exploiting forced laborers under the Nazi regime.

Twelve lawyers at Cravath, Swaine & Moore in New York protested their firm's decision to represent Credit Suisse in the bank's wrangling with families of Holocaust victims. In response, the partners made the same case as McPherson, insisting that their clients were ready to "do the right thing" and the firm's skilled attorneys might as well be the ones to help them, according to a 1997 *Washington Post* opinion piece by Ronald Goldfarb.

Although the tobacco legacy does not a Holocaust make, Cravath's have-it-all reasoning was strikingly similar to McPherson's. In a memo to the managing partners, the opposing associates countered by pointing out the obvious: "It seems implausible that Cravath could both serve Credit Suisse and bring about a fair and honorable resolution for those who suffered at the hands of the Nazis and their collaborators." Ultimately, the firm stuck with the case.

"Lawyers can't have it both ways, representing plundering companies for a living and not taking on their coloration, or representing scuzzy clients and avoiding public cynicism for doing so," Goldfarb wrote at the time. Because he has worked for McPherson and others at Verner Liipfert, Goldfarb refuses to discuss the firm's particular choices surrounding tobacco—which he claims to know nothing about. But in a general sense, he will say what is so rarely said: "It is fair to judge an attorney by his clients."

A Financial "Necessity"

Sources close to Verner Liipfert say the firm's decision to work for tobacco was really just a depressing accommodation to the political times. Once Republicans took over Congress in 1995, the firm needed to expand its offerings if it was to continue to bring in an obscene amount of revenue as a legislative-branch lobbying firm. It is no accident that the firm hired Bob Dole and former Sen. Dan Coats (R-Ind.) after the "Republican Revolution," making a major break with its Democratic history. Last year, the firm also plucked up Jamie E. Brown, former legislative counsel to Republican Sen. Connie Mack of Florida.

"They needed to do it because you had to have Republican credentials," says a former partner. "Their friends were leaving, and not a lot of people care that Harry McPherson was Lyndon Johnson's guy .... That's an old world." Even more so than the revenue, the former partner says, attorneys at Verner Liipfert craved the power and attention afforded to a firm with big-name lawyers and big-pocket clients. "They loved every minute of it," he says, remembering the gloating that went on in the office whenever a newspaper would refer to Verner Liipfert as a "powerhouse."

McPherson does not deny that his firm's solidly Democratic reputation is fading away. But he insists it is a good thing. "It is a change," he admits, "but it's an extremely attractive change." McPherson even suggests that it's not ideology but popularity that really counts. "Dole and I may not agree on an awful lot of issues, but it's wonderful to work with a man who is so well-regarded. He's really just a prince of a man, and everyone thinks so."

In McPherson's memoir about his years in the executive branch, he comes off as far more conflicted over moral questions than he does now. Much of the book is spent grappling with the necessity of compromise in politics. At first, a young McPherson is repulsed by the unseemly side of Washington: He is shocked by the moneyed lobbying effort undertaken by the gas industry to kill a bill in 1956, and he refers at another point to "narrow-minded businessmen." He struggles to define the discomfort he feels when faced with shades of gray. "Moral certainty is satisfying to the soul," he writes. "To be able to identify one's enemies is as important to one's political peace of mind as to identify one's enemies is to one's social well-being."

But as time goes on, McPherson grows accustomed to cognitive dissonance. Instead of embracing ineffective idealism or utter pragmatism, he opts for a middle place. "One could choose a third way, and remain, as the modern theologians says, 'in the ambiguity'—acting forcefully, but conscious always that one's knowledge was insufficient and one's heart slightly corrupt. The best political men I knew seemed to have chosen this way."

Perhaps even that nuanced position was too ambitious for the real world. Or maybe what is possible in politics in not as feasible in lobbying. Because in explaining his tobacco-subsidized salary, McPherson does not reveal the smallest bruise of corruption. The money appears to have successfully softened the blow.

Still, skeptics like Ralph Nader say Verner Liipfert got a bad deal: "I think the tobacco companies took more from McPherson and Mitchell's reputations than they gave to tobacco," Nader says. "They will be forever associated in the history books with being the wheel greasers for the tobacco industry." ○

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Washington's Confessor

In Shadow, *presidential aides and lawyers look out for themselves, not the president*

By Art Levine

BOB WOODWARD HAS BEEN GETTING A bum rap for his latest book, *Shadow: Five Presidents and the Legacy of Watergate.* There's something about this best-selling investigative legend offering yet another inside Washington narrative—complete with dialogue-laden confidential meetings based on "anonymous" sources—that inflames critics. Unfortunately, most of them are missing the deeper scandal that lies at the heart of Woodward's book and the larger significance of his body of work. Maybe it's just that they're jealous that 25 years after changing American politics and journalism with his reporting on Watergate (with Carl "Where are they now?" Bernstein), Woodward is still raking in millions and working as hard as ever—while many of them can't get Vernon Jordan to return their phone calls, let alone spend hours with them reconstructing the minutiae of meetings.

SHADOW
By Bob Woodward
Simon & Schuster
$27.50

Much of the criticism has a familiar ring. There was Steve Brill picking apart Woodward as an irresponsible fabricator who doesn't let facts or contradictory stories get in the way of a good tale, or Frank Rich in *The New York Times Magazine* deriding Woodward as an elitist prig protecting Washington's Clinton-hating permanent establishment. In addition, others piled on with more Woodward-bashing over questionable sourcing and plodding writing style, and Woodward's work also faced a relatively novel critique (for him): Where are the big bombshells? In this view, with so much of the Monica Lewinsky scandal already aired in our 24-hour news culture, what's the big deal if, say, Rep. Henry Hyde secretly tried to arrange a censure deal? As *Fortune* magazine headlined its review: "Excuse Us, Bob, But This Dirt's Been Dug." Somehow, despite all these supposed weaknesses, the book has become a best-seller.

In truth, Woodward's book offers shocking, riveting evidence of duplicity, hypocrisy, and improprieties. I'm not referring to the behavior of post-Watergate Presidents and their top aides, though, but the willingness of President Clinton's attorneys, associates, and trusted advisers to spill their guts to the Svengali-like Woodward, all in the hopes of burnishing their own reputations and distancing themselves from the cover-ups they helped perpetuate. The irony of it all is that these same aides and attorneys, particularly David Kendall and Bob Bennett, fought tooth and nail—including mounting largely failed Supreme Court appeals—to "protect" the president from making disclosures in every scandal from Whitewater through Lewinsky: whether it involved facing disruptive civil lawsuits, disclosing confidential discussions with White House aides and counsels, or responding to intimate, humiliating questions from his legal enemies. The result was that Clinton's not-so-loyal soldiers spent millions of dollars and years of the public's time stonewalling Ken Starr and Paula Jones' attorneys as long as possible *and* stupidly triggering federal court decisions that effectively rob any president of the right to hold confidential meetings; all the while mouthing platitudes about the dignity of the office and the need to preserve the ability of the president to do the nation's business.

Then they turn around and offer Woodward juicy morsels about the president's blood tests and penis. Here's Detective Woodward's report on the president giving a blood sample to see if his DNA matched that on the notorious blue Gap dress:

"At 10:10 p.m., Clinton, Kendall, White House Physician Dr. Connie Mariano, [Starr deputy Bob]

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Bittman and an FBI agent met in the White House Map Room, where President Franklin Roosevelt monitored the course of World War II. Kendall made a weak joke about having always wanted one of his clients to give blood. Clinton shot him a look that could freeze water. The president rolled up his right sleeve and Dr. Mariano extracted approximately 4 milliliters of blood. It was a painful invasion of Clinton's privacy. The president showed his unhappiness."

Bill Clinton—and the book's readers—no doubt appreciate the tender solicitude Woodward and his sources show for the President's privacy. Equal sensitivity is shown by Bob Bennett, who graciously shares his up-close-and-personal insights about the state of the President's dick. Again, the all-seeing, all-knowing Sultan of Sources gives us the inside scoop:

"Bennett had tried ... to obtain the details from the statement Jones had made about Clinton allegedly having 'distinguishing characteristics' in his genital area. It hadn't worked, but Bennett wanted to make sure there were no such characteristics.

At first Bennett thought it might be a mole or birthmark. So he started asking longtime male Clinton friends who might have seen him in the shower at one point or another in his life. Had they seen anything? No one had.

Later, Bennett was in the Oval Office with Clinton, and the president had to go to the washroom. For a moment, Bennett thought of following the president into the Oval Office bathroom to see what he might see, but he decided against it. 'We can't have president of the United States' penis on trial,' Bennett finally said to Clinton directly. 'There is an ugh factor in politics.' 'It's an outrage,' Clinton replied. 'It's totally not true. Go to all my doctors. It's just false.'"

So Sherlock Bennett continues his dogged search for the truth about the President's wee-wee, and we learn more than we care to know in the rest of this section about what the doctors found. Woodward reports that exams by current and former doctors—including new ones ordered by Bennett by a urologist and a dermatologist—found no abnormalities or blemishes. Still, even Bob Bennett has to draw the line somewhere: "The only step that was not taken was to ask the doctor to induce an erection to reduplicate the circumstances that Jones had alleged. That was unthinkable."

Yet Bob Bennett thinks nothing about sharing, directly or indirectly, with Bob Woodward privileged attorney-client discussions and, it seems, the results of confidential medical reports. Bennett has denied being a source for Woodward—perhaps out of a concern that he'd be disciplined for violating the lawyer's ethical code about confidentiality—and some commentators, including Steve Brill, have actually believed his implausible denials. (Woodward has noted that he didn't interview Clinton, but won't disclose whether he spoke to Bennett.)

In the September issue of *Brill's Content*, for instance, Brill offers as Exhibit #1 in the case against Woodward a key conversation between Bennett and Clinton when they stroll on the White House grounds, cigars in hand, male bonding underway. Bennett is, as always in *Shadow*, the tough-talking good guy urging his weasel client, Bill Clinton, to come clean. (In Bennett's script of these events, he'd be played in the movie by the smart, beefy Brian Dennehy, the Tony winner for *Death of A Salesman*.)

"'If you're caught fucking around in the White House,' Bennett said, 'I'm not good enough to help you.' 'This is a prison,' Clinton responded. 'I purposely have no drapes on the windows.' As for women, 'I'm retired,' the president of the United States declared, repeating himself emphatically. 'I'm retired.'"

To Brill, this scene was likely cooked up from interviews with Bennett's friends, other reporters and various White House sources who knew the thrust of Bennett's conversations with the president, rather than from interviews with Bennett himself. Bennett denied to Brill that he ever had the conversation Woodward recounts—almost as strongly as his finger-wagging client, Bill Clinton, denied ever having "sexual relations with that woman, Miss Lewinsky." Yet there are so many scenes in the book between Clinton and Bennett reconstructed in painstaking, back-and-forth detail, complete with Bennett's inner thoughts ("Bennett had a sinking feeling," etc.), they could only have come from a) Bob Bennett b) Bennett's detailed notes of his conversations with Clinton or, the least likely, c) someone authorized by Bennett to speak to Woodward on his behalf. Any reporter who has tried to reconstruct a scene with a subject knows just how many time-consuming, nit-picking questions you have to ask to get it right, and only personal access to at least one of the main players (in this case, Bennett) makes that possible. Yet to Brill, Reed Irvine and other press watchdogs, Woodward is guilty of a reckless irresponsibility that could make his book a "fraud," as Brill puts it—despite an impressive track record of his books generally being verified as accurate years later by such subjects as George Stephanopoulos and Henry Kissinger. (You'll recall the controversial prayer-in-the-Oval-Office scene between Kissinger and Nixon in *The Final Days* that many ridiculed as a flight of fancy—but both Nixon's

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and Kissinger's memoirs later basically confirmed it.)

As Woodward noted in an interview with *Salon*, "The question is the quality of the information. The information has turned out to be correct, going back to Watergate and going through all these stories."

The Bennett scenes will doubtless be confirmed later, too. In all likelihood, Bennett, Kendall, and other legal advisers (with the apparent exception of Bruce Lindsey), furious at being snookered by their lying client and embarrassed at foolishly allowing the Paula Jones lawsuit to explode into an impeachment crisis, have taken their revenge. As Alan Dershowitz wrote, "Robert Bennett may go down in history not only as the lawyer who walked his client into a perjury trap, but also as the lawyer who then blew the whistle on his client in violation of the rules of professional responsibility."

While Woodward has likely faithfully recorded what these and other sources told him, his critics are probably on stronger ground regarding his use of verbatim quotes reconstructed from long-ago meetings. As Brill and others have noted, former White House attorney Janet Sherburne and ex-press secretary Mike McCurry have insisted that Woodward attributed comments to them and the First Lady that they never said. Woodward has stood by his accounts, although he's conceded some minor errors in his reporting on yet another lawyer, Sydney Hoffman, who worked for the Lewinsky team. (He did make an honest if silly mistake: Hoffman was cited as believing that Lewinsky suffered from a "form of Clara Bow syndrome, named after the famous silent-film actress who couldn't say no." Yet as William Safire reported in August, Hoffman actually said that Lewinsky suffered from Clerambault's syndrome, a condition named after the French psychiatrist who identified it: A woman with a delusional belief that an older, powerful man is in love with her.)

Woodward's liberal use of quotes raises questions about craft and technique that may be of interest only to fellow journalists. Still, most of us feel queasy about using direct quotes if we're not confident that those words were said exactly as we write it. My guess is that Woodward is simply more willing to run with the gist of what he's told, dressed up as exact quotes remembered with curiously total recall by his sources and supplemented by their meeting notes. He is clearly pushing the envelope of recreated dialogue further than previous New Journalists did. Personally, I can't remember exactly what I said at lunch last week, let alone in meetings a year ago.

The more troubling issue raised by all these hard-charging quotes that enliven Woodward's books, including *Shadow*, is their strikingly self-serving quality and Woodward's complicity in promoting his subjects' preening self-portraits. Typically, his subjects are also saddened and angered to discover dark truths about the President they defended; after awhile, they all begin to resemble Claude Rains as Captain Renault in *Casablanca:* "I'm shocked—*shocked*—to find that gambling is going on in here!"

We'll probably never know if Woodward was conned in any way by his sources. But we should at least be grateful that he saves us—and the American publishing industry—the time and expense of reading dozens of boring, self-serving memoirs that might otherwise be written by minor scandal figures like Bernie Nussbaum. Instead, we're given what amounts to a greatest-hits anthology of each key player's version of their most dramatic moments in the scandals, expertly stitched together by their patient, hard-working scribe.

As usual in Woodward's books, from *The Final Days* onward, such sources are often repaid with compliments and positive portrayals for their cooperation with him. They are usually shown as founts of Socratic wisdom, presciently warning their stubborn, short-sighted Presidents of the need to tell the whole truth as the scandal *du jour* mounts. Lloyd Cutler, hailed by his Boswell as "perhaps the most senior and experienced fixture of the Washington legal establishment," "shuddered as he watched the Clinton Presidency falter. It was precisely the kind of mess that was unnecessary—and, in his view avoidable ... Cutler felt that the guts of the Whitewater problem would be showing good faith cooperation." David Kendall, who may have seemed priggish and stiff on TV, is actually "a rare Washington lawyer with a genuine interest in culture, music, and art"—and he has a legacy of youthful civil rights activism, too.

The question raised by all these portraits of wise, honest, brilliant advisers in Woodward's books is: If everyone is so smart and public-spirited, who engineered all the mistakes, scandals and cover-ups?

Usually, in Woodward's world, it's just the President and a tiny band of evil cronies—who, coincidentally, don't seem to have cooperated with Woodward. In *Shadow*, counsel Bruce Lindsey is portrayed as one of the main culprits in resisting full disclosure. Not surprisingly, there are no detailed, flattering one-on-one scenes in the book of Bruce Lindsey beseeching his President to tell the truth.

Of course, you don't need to betray the President's trust to earn praise from Woodward; Starr's

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deputies are also handsomely rewarded for apparently providing transcripts of secret grand jury sessions and behind-the-scenes retellings of their strategy sessions. One of his sources in Ken Starr's office even gets the equivalent of a free personals ad in *The Washingtonian* from Woodward: "[Brett Kavanaugh, 33] looked somewhat like a dark-haired version of the movie actor William Hurt, and he had a similar soft style." Ladies, he likes candlelight dinners and long walks on the beach, too.

(Not all cooperating sources are bathed in Woodward's emollients, of course. At one point near the end of *Shadow*, when Sam Dash quits as Starr's ethics adviser, he is described as "one of the legendary self-important egos of Washington." A question naturally arises: What did he do to offend Woodward?)

At times, *Shadow* and most of Woodward's books resemble a journalistic version of the product endorsement deals flaunted by NBA stars. Just as the warm-up jacket of Shaquille O'Neal might display the logos of Nike and Pepsi, each section of *Shadow* bears the clear imprint of the source or sources who have shared their deep thoughts with Woodward. My favorite example of this is the portrayal of the Judiciary Committee's Henry Hyde reeling from the disclosure by *Salon* of his adulterous affair three decades earlier. If you thought Hyde was an over-zealous ideologue, Woodward offers another view as he waxes poetic in his sympathetic portrait:

"Back in his office, Hyde was in near despair. He felt humiliated, degraded, sad for his children to know of his affair which was so dark and so wrong. He felt shame ... The story of the affair would be used against him the rest of his life ... What an awful price to pay. Maybe someone could learn from his sad experience. ... He didn't blame the White House, although he was sure they were taking pleasure in the disclosure. No, Hyde knew that his ex-mistress's husband had nurtured the grudge for decades and had released the story."

You can almost hear the sad violin music swelling in the background in this scene. Of course, Woodward doesn't say why, if Hyde knew the White House wasn't behind the story, he let his fellow Republicans go on the warpath over purported White House leaks of the Hyde story. As with other sections in Woodward's book, the only thing missing here is a sticker that says, "This touching passage has been brought to you by House Judiciary Chairman Henry Hyde."

Throughout *Shadow* and his other books, Woodward's ability to gain high-level, in-depth access to major players is always on display, mystifying and astounding his fellow journalists. It sometimes seems to lesser mortals that he must do more than cozy up to his sources at restaurants with his fabled empathy, curiosity, and intensive preparation: Perhaps he also takes out a pocket watch and waves it slowly in front of, say, David Kendall's eyes, murmuring, "You're getting sleepy, very sleeepy..." In fact, he is the Warren Beatty of political journalism: one of the great seducers of the modern age.

His methods were best described by one of those lured into cooperating, George Stephanopoulos, in *All Too Human*. He recounts meeting with Woodward at his home for his book on economic policy, *The Agenda*, wary, flattered, and curious all at once about visiting the great reporter. Over a late-night dinner, Woodward hits him with memos and documents describing Stephanopoulos' comments and role in earlier meetings. "Do you cooperate and elaborate in return (you hope) for learning more and earning a better portrayal—for your boss and yourself?" the White House aide asks himself. Beguiled by Woodward's mix of charm and intimidation, he cooperates and successfully urges others to so as well, including Clinton himself. But he also later admits it was an act of self-aggrandizement: "Talking to him in an authoritative way demonstrates that you were in the room and in the know."

Even if speaking to Woodward has become a badge of honor in prestige-crazed Washington, making Woodward's Herculean labors a bit easier, it still doesn't take away from the scope of Woodward's accomplishments in this and other books. If the mere prospect of *reading* about ancient scandals and foul-ups in the Ford, Carter, Reagan, Bush AND Clinton years is daunting—reliving everything from the Nixon pardon to Bert Lance to Iran-Contra—imagine how demanding it must have been for Woodward and his researcher to do all the reporting needed to construct a readable behind-the-scenes narrative of those years. Yes, his few analytic points are sketchy and banal (e.g., release the facts quickly about scandals), and his prose reads like a police report. But so what? In an ideal world, he'd submit his draft to Ward Just or James B. Stewart for a rewrite, but what he offers here is often fascinating reading anyway, particularly for hard-core political and history junkies, with fresh nuggets scattered everywhere. Of course, if you don't care, for example, that Defense Secretary James Schlesinger simply disobeyed direct military commands from Gerald Ford during the tail end of the Vietnam War, just skip ahead to the sex scandal in the second half of the book.

Still, when you add his reporting here to his insid-

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er books on everything from Nixon's final days to Bill Casey's CIA to the Supreme Court, plus others, it's clear he's built something unique in American journalism. It's not only a monument to exhaustive and canny reporting, but he's also evolved, all by himself, into the Fifth Estate of government. From his days as the scrappy street reporter uncovering corruption at the Nixon White House he's turned into the Father Confessor of the Washington establishment, hearing the sins and foibles of Washington insiders. They're members of the first three estates of government, and after the press, the Fourth Estate, exposes government wrong-doings and mistakes, wrecking reputations along the way, they turn to Woodward for expiation and a chance to tell their side of the story. Woodward grants them, if not absolution, an opportunity to live again in the pages of history, as the Washington power-players that many once were and hope to be again.

Thanks to their vanity and Woodward's hard work, we're offered an unrivaled inside tour of Washington power, although perhaps compromised by his sources' not-so-hidden agendas. I might prefer that he use his amazing reporting abilities more often to expose current evils rather than recreating past scandals and decision-making, but his investigative histories are still indispensable guides to our recent past—even if they're built on a foundation of betrayal. Let's just hope we don't have to learn in his next book quite so much detail about the next president's medical exams and private parts. ●

A Note From Charles Peters:

A few months ago, a reporter for Brill's Content, *in the midst of interviewing me about another matter, mentioned how delighted she had been by a recent* Monthly *piece by Art Levine. Unfortunately, the reporter did not express that admiration in her magazine. This has been Art's fate. His fans have never gone public. The only exception is a 1983 article by Laurence Zuckerman in the* Columbia Journalism Review, *which, in a sidebar, completely reprinted Art's brilliant and very funny sendup of the* Monthly *(originally published in the magazine in 1979). Otherwise Art is our most unfamous alumnus. He deserves better. If you doubt me, read the parody of* The Final Days *that follows. Its take on Bob Woodward, as you will see, has been adopted by many writers, all of whom neglected to acknowledge that Art was first to point out Woodward's tendency—in contrast to* All The President's Men—*to rely on bigshot sources who are treated with kid gloves in return. The most obvious sources were Nixon's White House counsel J. Fred Buzhardt and his chief of staff Alexander Haig. They were less than totally innocent Nixonians, but from* The Final Days, *you would have thought they deserved canonization. So enjoy and remember to mention Art.*

The Final Days of the Third Reich

As told to Woodward and Bernstein

By Art Levine

FOLLOWING THE CRITICAL AND COMMERCIAL success of our book *The Final Days*, our publishers have prevailed on us to bring out a new edition of our early work on Adolf Hitler's downfall, first published in 1947. Here, in embryo form, are the journalistic techniques that were later brought to fruition in *The Final Days*. Our ability to penetrate the innermost workings of the Third Reich should provide valuable insights for those interested in our methodology.

In the course of reconstructing events, we interviewed 586 Nazis and checked every detail with at least two sources. We divided this massive undertaking into several areas of inquiry, including: Adolf Hitler; the Reichschancellery staff; the SS; the Gestapo; the Propaganda Ministry; the Lutwaffe; the Nazi Party; Hitler's personal physicians; and the public record—statements by Nazi leaders, newspaper

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articles, memoirs, and official documents of the Third Reich.

From these and other areas of inquiry, we drew up a list of several hundred persons to be interviewed. Some spent many hours with us and volunteered information freely. Several of the principals met with each other to refresh their memories on these important events. Many supplied us with notes, memos, letters, and diaries, which were of immeasurable benefit. We made it clear that we would check all facts with other participants.

All interviewees were assured that their identities would remain forever secret. We vowed to go to our graves with the names of our sources locked within our hearts. Without this rigid security, we would never have been able to get an honest picture of the last days of the Third Reich. Traditional history, with its cumbersome reliance on footnotes and attributed statements, is too often marred by the desire by participants to "sanitize" the record for posterity. We have avoided those pitfalls here. The results speak for themselves.

Bob Woodward
Carl Bernstein

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This was an extraordinary mission. Reichsmarshal Hermann Goering and Heinrich Himmler, the Gestapo chief, settled in for the two-hour train trip to Berchtesgaden. The two sensitive and brilliant aides were leaving behind a hot, sunny Munich. It was Sept. 15, 1943. Ahead of them lay the mountains and lakes of western Germany and Austria. The sun poured in at a 47-degree angle through the windows. For most of the travelers, the trip was an occasion for relaxation, a brief respite from the war. Yet these two public servants were not in a holiday mood.

Goering and Himmler had heard rumors that the Fuhrer was anti-Semitic. It was all hearsay, innuendo, but still, the two men were troubled.

They had reached an inescapable conclusion: They must go to Berchtesgaden, confront the Fuhrer with these allegations, and ask him to put all doubts to rest.

As the train moved through western Germany, the amiable, flamboyant Goering mused about his own attitudes towards the Jewish people. He tapped his engraved swastika ring on the armrest as he recalled his lifelong admiration for the Jews. A plump, avuncular man with a fondness for expensive paintings, Goering had many Jewish friends from his days as a World War I air force hero. He kept up his contacts after he joined the National Socialist German Worker's Party ("Nazi's") in the 1920's. The Jews, Goering thought, were bright, hard-working, patriotic.

Goering was well-equipped to judge the finer qualities of man. As president of the Reichstag, then as air minister and founder of the Gestapo, Goering had impressed associates with his willingness to work long hours and his insider's knowledge of the bureaucracy. He was tough, shrewd, and loyal. Goering was an aesthete and an elegant dresser. With his lacquered fingernails and green velvet capes, he cut an impressive figure at the Reichschancellery.

As the pastoral scene outside sped by their windows, Himmler and Goering were in a reflective mood. "You know, Heinrich," Goering said, twirling his 3-foot gold baton, "lately I sure miss having my close Jewish friends around to talk to. There used to be so many of them, and now I can't seem to get them on the phone any more. Where have they gone?"

"Beats me, Hermann," Himmler answered. He tugged absent-mindedly on his lapels with their provocative death's-head insignia. A fly hovered 2 inches above the window sill. Goering moved over to crush it, but Himmler reached out instinctively to grab his hand. "Don't do that, Herman!" Himmler exclaimed. "All life is sacred, down to the lowliest animal in God's creation." The two men lapsed into silence for 72 seconds. Finally, Goering asked, "Have you heard anything about these so-called concentration camps?"

Not really, Himmler said. Rumors here and there, but nothing solid, no firm evidence. They must ask the Fuhrer about them.

Yes, Goering said, that was a good idea.

The train pulled into the Berchtesgaden station at 5:22 p.m., sending clouds of steam 18 feet into the air. The two men got off the train and looked for the chauffeured automobiles which would take them to the Berghof, the Fuhrer's mountain retreat. They were nervous and tense as they contemplated their upcoming meeting with Adolf Hitler.

When they arrived at the chalet, the two men were led through a living room that was 60 feet long and 50 feet wide, with Italian paintings and Gobelin tapestries hanging on the walls. The soft-spoken Martin Bormann, often called the conscience of the Reichschancellery, greeted them in the anteroom outside Hitler's office. He was reading a travel guide to Argentina when they came in.

"I'm so glad you could come here," Bormann said, adjusting his argyle socks. The Fuhrer, Bormann said, had been withdrawn and uncommunica-

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tive, making decisions in isolation. He had been in this mood for at least five years, maybe more.

Bormann felt he didn't really know the Fuhrer. His decisions were unpredictable: one day, silence, the next day, they invaded Russia. It was eerie.

Goering and Himmler were finally led into Hitler's office. The Fuhrer was seated at his desk, drinking a Lowenbrau. He looked pale and exhausted. He had not been sleeping well. He had been troubled by the defeat at Stalingrad, the Allied landing in Italy, the fall of Africa. Events were closing in on him.

The exchanged brief pleasantries. Churchill was an "asshole," Mussolini "that fat wop." Hitler rambled on about nothing, making little sense.

Then they got to the point. There had been some talk that the Fuhrer was anti-Semitic. They themselves didn't believe the charges, they made clear, but it was important for the sake of the country that Hitler lay the rumors to rest. The image of anti-Semitism was hampering foreign policy. Himmler and Goering finally wanted to get ahead of the problem, meet the current charges, anticipate future ones, answer them all. Had Hitler played any role in mistreating Jews?

Absolutely not, Hitler said.

"Excuse me for a moment," the Fuhrer said, picking up a bright red phone on his desk. "Hello, Ilse? Bormann tells me what a good job you've been doing. The way you've handled it has been very skillful."

Hitler turned back to face his confused assistants. "You know," he remarked, "Hess just didn't have his head screwed on right."

"The Jews, Mein Fuhrer, what's happened to all the Jews?" Goering asked. "There used to be so many of them."

"I'm dying to find out," Hitler said, winking broadly. "Get it?" He collapsed with laughter, then composed himself.

Himmler was skeptical, but he didn't press the point with Hitler. The Fuhrer glanced at a picture of his dog, Blondi. "Of course, we could lean on the Poles, too," he added. He paused for a long moment. "But it would be wrong." Himmler and Goering were beset with fresh doubts. But they were committed to serve, and they would do their best. The biggest problem here, Goering thought, is credibility. The Fuhrer's team could pull through, but it would not be easy.

Himmler was disturbed. The Fuhrer was not being very cooperative in dispelling any lingering doubts. Finally, he asked point blank: "Mein Fuhrer, what are your true feelings about the Jewish people?"

Hitler exploded. "I don't give a shit how you do it, just get rid of them. That's the plan." The two men greeted these remarks with a disappointed silence. There was not much room for maneuvering here. It could be a problem. They kept their concerns to themselves, however. They did not wish to add to the Fuhrer's burdens. Standing up to leave, Himmler said, "Thanks for giving us fresh insights into your views on the Jewish people." The three men shook hands, and Himmler and Goering simultaneously realized how little they really knew the Fuhrer, even after all these years.

Privately, the two men were troubled by the meeting. They walked quickly down the hall and strode 29 yards into an empty office. They sat across from each other in two leather chairs, and sorted out their feelings. The two Nazi leaders realized that the Fuhrer was probably thinking out loud—trying out outrageous alternatives as a way of reaching decisions. It was part of the process. They had heard him do it before.

Himmler noted that all people, even dictators, said things they don't mean. "Which one of us is without sin?" Himmler asked. Goering nodded solemnly. Furthermore, Himmler added, the Fuhrer's approach to the Jewish question had to be understood in the context of Hitler's global plans for the security of the Third Reich. Nothing was black and white, he said. The two men nodded in agreement. They would stand by the Fuhrer.

Drawing on their reserves of inner strength, they summoned up the courage to walk out of the office with big smiles on their faces. The foreign press still had questions, they learned. Goebbels would relay their answers. Was the Fuhrer an anti-Semite? No, Himmler said, Hitler was not an anti-Semite. "The problem is behind us," Goering added. "We're definitely out of the woods."

The Russian troops had reached the outskirts of Berlin. It was April 21, 1945. The skies were overcast. Goering and Himmler met secretly in the fashionable conference room of the Reichschancellery bunker. They had just learned of a signed memo linking Hitler to concentration camps. "We've found the smoking Luger," Himmler told Goering, his voice calm and emotionless. "It's the ball game." No anti-Semite should continue to lead the German people, they agreed.

Himmler and Goering were shocked by the new evidence. For years, they had faithfully served Hitler, never once imagining that he was capable of such depravity. They had pledged their lives to him, and he had betrayed them. More in sorrow than in anger,

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they decided that Himmler should arrange to meet the Fuhrer one last time.

Hitler seemed preoccupied. He was sitting on a brown leather couch in a small 12-by-9-foot room with a gun pointed at his head. Now and then there were the occasional dulled reverberations of artillery shells overhead.

Himmler looked at the pathetic figure before him with a mixture of loathing and contempt. He had always despised anti-Semites, and although he had never personally met any, he had heard that they were without a smattering of human decency. It was, he realized now, all too true.

Yet now Hitler acted as if he were reaching out to Himmler for forgiveness, some sign of absolution. Himmler was reminded once again of the enormous distance between them. "I'm sorry I didn't tell you about the concentration camps, Heinrich," Hitler said, tears coming to his eyes. "I know that you are completely innocent, and I only hope that you have an opportunity to vindicate yourself in a court of law or, failing that, in any contemporary histories produced by journalists after my downfall." He lowered his eyes. "Will you ever forgive me?" he pleaded.

"I accept your apologies, Mein Fuhrer," Himmler responded. He thought to himself that the world will never know the full truth. "Himmler the monster," the Allies would probably call him. It was a shame, but he would bear up under the burden. He had wanted a Third Reich devoted to civil liberties and racial equality, but his efforts apparently had no impact on Hitler's policies. Now he would be called a war criminal by closed-minded critics. He sighed with stoic resignation.

Suddenly, Himmler flashed with anger. "How could you lie to us all these years? You *know* how strongly I feel about religious freedom and the sacredness of human life!" Hitler shrugged, "It was something I had to do if I were to trick good people like yourself into devoting themselves to the national interest," Hitler said, glancing at his Timex. "If you knew my real thoughts about the Jewish people, I'm sure you would have left the country in the 1930's." "You're damn right, Hitler," he shot back. "And I would have joined the Allies and brought you to justice, too."

Himmler got up to leave. "I'm going to convert to Judaism the first chance I get, as a small symbol of atonement for your immoral atrocities, which you implemented without my knowledge." Then he walked out, never once looking back at his nation's leader.

The end was near, he realized, and as he strolled along the corridors he pondered his own role. He was, perhaps, not without guilt. He had made prolonged concealment possible. He had unwittingly helped keep things going. Of course, he had been careful not to participate. He might tell himself that he hadn't known what was going on. But there had been hints and signs everywhere, all along the way. He should have known, goddammit. He hit his fists together in exasperation.

Still, he hadn't known of any specific piece of evidence. Until they had uncovered the death-camp memo. There it was, in black and white. Proof. The gossips in the Reichschancellery had been asking the same question for over two years: What did the Fuhrer know and when did he know it?

Now Himmler knew. Somehow, it didn't make him feel much better. He went to his office to write a letter of resignation on a yellow legal pad.

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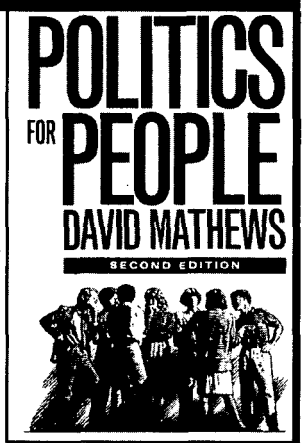

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Blaming the Messenger

Two new books hark back to a media "golden age" that never existed

By Gregg Easterbrook

WANT TO WRITE A BOOK YOU CAN BE certain no one else is writing? Pen something defending the press. Recent years have seen a spate of volumes denouncing American journalism. James Fallows lit bombs under the profession in *Breaking the News*, accusing top communications-industry figures of posturing, buck-raking, and even anti-Americanism. (His chapter on Mike Wallace so ruffled its subject that Wallace took to defending himself by saying that he shouldn't be held accountable for comments made under the pressure of live television, a delightfully nonsensical position coming from a *60 Minutes* correspondent.) Howard Kurtz, in *Hot Air* and *Spin Cycle*, presented modern journalism as an exercise bordering on self-satire, with the goal being to see which news organization could make itself seem stupidest fastest. Tom Rosentiel and Bill Kovach, in *Warp Speed*, depict the contemporary newsroom as spinning into a blur of unthinking hype. Now comes *Republic of Denial* and *Rich Media, Poor Democracy*, two more books that let the media have it with both barrels. Isn't there anybody out there who likes the morning newspaper anymore?

REPUBLIC OF DENIAL:
Press, Politics and Public Life
By Michael Janeway
Yale University Press, $22.50

RICH MEDIA, POOR DEMOCRACY:
Communications Politics in Dubious Times
By Robert W. McChesney
University of Illinois Press, $32.95

Republic of Denial is by Michael Janeway, one of the country's most distinguished journalists, a former editor of *The Atlantic Monthly* and the *Boston Globe*. It is Janeway's thesis that all major American news organizations are in "denial" regarding "the story that the press has largely missed," namely, that the country is falling apart. Janeway posits that the contemporary condition of the United States is far, far worse than television newscasters or newsmagazines are letting on: that modern American life is "a saga of reversal and loss" with U.S. cities "choking on dysfunction," plague-like diseases about to kill us, the plight of average people worsening, and "erosion of optimism and progress." Journalists are in "denial," Janeway suggests, by refusing to report such bad news, preferring instead presidential sex scandals, celebrity divorce melodramas, and political insider-baseball. Nobody's reporting the real, shocking, depressingly negative story.

This is a striking thesis. But after stating it, *Republic of Denial* essentially drops its own subject, saying little more about the condition of the country and switching to an analysis of the recent history of political journalism. If, as Janeway posits, the United States is actually falling apart, it seems that should be the subject of the book. Indeed, public interest would require an author to write on nothing else. But Janeway simply asserts this thesis with next to no documentation; he doesn't even explain why, if the country is going to hell in a handbasket, the *Boston Globe* did not focus on this story while he was running it.

The few examples Janeway gives of "denial" subjects are debatable. For instance, he warns of an unreported menace of "back-from-the-dead bacteria more powerful than the postwar wonder drugs." But mutation among common germ strains, especially strep and staph, has received quite a bit of press coverage, including on national television; it was a headline story the week the galleys of *Republic of Denial* landed on my desk. And the issue is not bacteria becoming "more powerful" than antibiotics; rather, some are acquiring resistance, requiring that a new generation of drugs be tested and fielded. This is definitely a problem, but no budding disaster; by almost every measure, including high longevity and declining cancer incidence, U.S. public health is improving.

Janeway's book is erudite and well-written, but the author seems not to have been able to resolve whether he was producing a treatise or a memoir. He

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spends considerable time reminding us that the news business is a business, and that is something every viewer and reader ought to bear in mind. But Janeway treats this as a sinister fact, never answering the obvious question: Well, what's wrong with being a business? *Republic of Denial* devotes several pages to the arrival of Mark Willes as publisher of *The Los Angeles Times*. Willes is a former cereal marketing executive who scared the wits out of responsible editors like Janeway by suggesting that the time had come to take down the wall between advertising and editorial. The book presents Willes as the harbinger of a frightening future. Perhaps, but during Willes's tenure *The Los Angeles Times* continued to be excellent—it now rivals for first-place in quality *The New York Times*, a fact not well known on the East Coast—and anyway, Willes has since left that job. Rather than a warning, the Willes term of office in Los Angeles seems a bump in the road.

Rich Media, Poor Media by Robert McChesney, a University of Illinois professor and eminent media critic, is a book all *Washington Monthly* devotees will find tremendously exciting, for it is perhaps the first volume ever to treat neoliberalism as important enough to be denounced. Big media conglomerates such as Disney (owner of ABC and ESPN) and Time-Warner, McChesney says, have expropriated the neoliberal philosophy (of traditional liberal goals sought by private-sector means) and used it as a cover for expanding their market power and profits. *The Washington Monthly* has been advancing the concept of neoliberalism for two decades now, and although this philosophy can claim constructive impact on public policy, few have taken neoliberalism seriously enough to get upset about it. McChesney gets upset; in fact, he considers neoliberalism a looming conspiracy. At last the *Monthly* stands accused of participating in a conspiracy! (On something other than Amtrak subsidies for West Virginia.) This, to the magazine's loyalists, should be a red-letter day.

McChesney's contention is that the expansion of big media conglomerates works against democracy by allowing establishment-flavored opinion to dominate the news. He notes, for example, that Disney has jumped from a $2.9 billion company by sales in 1988 to a $25 billion concern last year, while Time-Warner jumped from $7.6 billion (combined, before its merger) in 1988 to $28 billion last year, mainly by snatching up media properties. A "noncompetitive, oligopolistic" media structure results, with dissenting views filtered out.

Rich Media, Poor Democracy, a carefully documented and detailed work, is surely right to caution against the effects on the news business of profit-oriented management. It is disturbing to think that the three largest media conglomerates—Disney, Time-Warner and Rupert Murdoch's News Corporation, whose best-known holding is Fox Network—dedicate only a tiny percentage of their efforts to work of quality, while pouring billions into junk, junk, junk. (Including violence-glorifiying junk, which the entertainment divisions of Disney and Time-Warner now specialize in, caring not in the slightest about the psyches of the next generation.) McChesney is also right to caution that the Internet may not be able to sustain its present democratization effect on media, if the big boys gradually take it over, too. These are important points.

But *Rich Media, Poor Democracy* is undercut by a kind of non-reflective, conventional leftism. McChesney believes that the news produced by big conglomerates "is far from politically neutral or 'objective,'" but seems here to be calling on the delineation of objectivity that equates to, "Objective news is whatever I agree with." He complains, for example, of "a virtual blackout of media coverage of the CIA," this in a year when CIA failures on the Chinese embassy and Sudan bombings, the India nuclear blast and other issues have been a running headline item. He sees the withdrawal of the Time-CNN story claiming nerve gas use against U.S. deserters in Vietnam as suppression of an exposé, but seems to want so badly for this story to have been true that he gives no credence to the shaky, shaky sources behind the work. McChesney asserts that the big media don't question defense spending, because "military spending is the one form of government largesse that directly harms no notable upper-class interest." But in the papers I read, the Pentagon budget is a running subject of critical coverage. All major newspapers and newscasts, for example, recently gave prominent play to a House subcommittee vote against the proposed F22 fighter, a Pentagon-infuriating story the media could be accused of overplaying, given that the vote was preliminary and inconclusive.

Both *Republic of Denial* and *Rich Media, Poor Democracy* are chock-full of erudition, facts, and quotes, but in the end suffer from a common problem in the very journalism they decry—after you finish these books, you feel that you understand the subject less than before you started. Perhaps this is because both volumes employ an implied golden-age argument, that once the media were scrupulous and effective, but no more. When was the media golden age, anyway? When big cities had four dailies, but

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most were openly ideological, usually conservative? When there were only three television networks, and anything that didn't fit the standard primetime formula was never aired? When there was no Web, so that readers couldn't read and evaluate for themselves the source documents on which stories are based? The golden age of journalism occurred only in our minds. In the real daily interplay of media, opinion, and business, things may go well or poorly, but on balance, the news always seems to win out.

Taking on Big Tobacco

The struggle against tobacco companies is far from over

By Michael Massing

THE FIGHT AGAINST BIG TOBACCO HAS given rise to a burgeoning literature. In 1996, Richard Kluger published *Ashes to Ashes*, his impressive history of the rise of Philip Morris and the efforts to contain it. Soon after came Stanton Glantz's *The Cigarette Papers*, a collection of internal documents from Brown & Williamson, and Philip J. Hilts's *Smokescreen*, an examination of the industry's marketing practices. Last year appeared Peter Pringle's *Cornered: Big Tobacco at the Bar of Justice*, a look at the lawyers involved in suing the industry. Now comes *Assuming the Risk*, by Michael Orey, an editor at *The Wall Street Journal* and a former writer and editor at *The American Lawyer*, describing "the Mavericks, the Lawyers, and the Whistle-Blowers Who Beat Big Tobacco" as his subtitle puts it.

ASSUMING THE RISK:
The Mavericks, the Lawyers, and the Whistle-Blowers Who Beat Big Tobacco

By Michael Orey
Little, Brown $24.95

Enough already, you might say. But the effort to rein in the nation's tobacco companies has been one of the most significant and fascinating political developments of the decade. Certainly the swiftness with which this once-impregnable industry was brought low has been breathtaking. The subtitle to Richard Kluger's book—"America's Hundred-Year Cigarette War, the Public Health, and the Unabashed Triumph of Philip Morris"—was obsolete almost as soon as it appeared, with Philip Morris suddenly subject to once-unimaginable controls. The campaign against tobacco is now being emulated in many other fields. In several cities, for instance, supporters of gun control are seeking to hold gun manufacturers responsible for deaths and injuries their products have caused. The families of the three victims in the 1997 school shooting in West Paducah, Ky., have filed suit against the makers and distributors of violent movies and video games alleged to have been watched by the gunman. And grassroots organizations like Mothers Against Drunk Driving are exploring new ways to rein in the nation's alcohol companies, whose products take the lives of an estimated 100,000 Americans a year.

So, from a public-health standpoint, any new insights that can be gleaned from the great offensive against tobacco are to be welcomed. In *Assuming the Risk*, Michael Orey focuses on events in Mississippi—the first of the more than 40 states to sue the tobacco companies for the recovery of public funds spent treating the victims of smoking-induced diseases. Divided into three parts, the book relies heavily on personalities. The first part tells the story of Don Barrett, an attorney in a poverty-stricken county who brings suit against the American Tobacco Company on behalf of Nathan Henry Horton, a local black man who died of lung cancer at the age of 50. A one-time good-ol'-boy who as a youth participated in a cross-burning, Barrett had a religious awakening, and he emerged as a crusader against the evil of Big Tobacco. With scant resources, Barrett mounts a spirited case, and of the 114 individual suits brought against the industry nationwide, his is among the few actually to go to trial.

But American Tobacco, deploying a team of inves-

MICHAEL MASSING's *book* The Fix *(Simon & Schuster), about the nation's drug policy, received* The Washington Monthly's *1998 Political Book Award.*

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tigators, digs up a truckload of dirt on Horton, showing him to be a relentless womanizer who fathered numerous children out of wedlock. The company also found evidence that he had been exposed to other toxic substances, raising doubts about whether smoking had caused his illness. The jury ended up deadlocked, and a mistrial was declared. From it all, Barrett concludes that pursuing lawsuits on behalf of individual smokers is futile. "Cigarette companies were too strong to be taken on one case at a time," Orey writes. "They had too many ways of casting doubt on the cause of illness in a particular person." In addition, juries often bought the industry's defense that individuals smoked out of choice.

Enter Merrell Williams, the subject of the book's middle third. Charming but cantankerous, Williams, a Mississippi native, has a Ph.D. in theater, but the academic life bores him, and he tries his hand at a series of other jobs, including selling cars, running a pub, and operating a shrimp boat. None pans out, however, and he eventually moves to Louisville, Ky., so that his wife can be near her family. His fecklessness continues, however, and when he begins to drink heavily, she and the kids move out. Evicted from his house and pursued by creditors, Williams in 1987 receives a call from the Louisville Bar Association asking if he would like to earn nine dollars an hour working as a paralegal for one of Kentucky's top law firms. Jumping at the opportunity, Williams finds himself photocopying and coding internal company documents for Brown & Williamson, the manufacturers of such cigarette brands as Raleigh and Kool. The project is intended to help B&W defend itself against product-liability suits similar to the one Nathan Horton had filed in Mississippi.

As he plows through the documents, however, Williams becomes appalled at what he learns about the company's efforts to market its products to kids, to place product promotions in movies, and to stymie research into the health perils of smoking. Becoming a mole, he begins sneaking documents out of his office and copying them. Eventually, he sends a batch to Morton Mintz, a reporter at *The Washington Post*, but when B&W discovers what is happening, it obtains an injunction to prevent Williams from disseminating or even discussing the documents. Increasingly paranoid, Williams imagines killers lurking in every shadow, and he goes on antidepressants to help him deal with his frustration over his inability to get out the word about B&W's perfidy.

Eventually, though, his work comes to the attention of Dick Scruggs, a top defense attorney in Pascagoula, on the Mississippi coast. A former Navy fighter pilot and self-styled man of action, Scruggs had helped represent local residents suing the area's shipbuilders for exposing them to asbestos. In the process, he discovered the advantage of aggregating large numbers of claims into a single case, not only because this was more efficient, but also because the magnitude of the claims gave the companies an added incentive to settle. So, when a fellow Mississippi lawyer raises the idea of having the state sue the tobacco companies to recover the Medicaid payments it has made to treat thousands of smokers, Scruggs immediately sees its appeal. Teaming up with Mike Moore, the state's energetic attorney general, he puts together a group of lawyers (Don Barrett among them) to take on Big Tobacco on behalf of the state. "In a deeply conservative state," Orey writes, "a team of lawyers was about to file never-before-asserted legal claims against an industry that was one of the most economically and politically powerful in the country—and that had never had to pay a penny in a smoking-related case."

In the end, of course, Mississippi was but one player among many. In addition to the other states that eventually filed suit, there was the emergence of another key whistle-blower (Jeffrey Wigand), the willingness of the Clinton Administration to take on tobacco, the forceful intervention of Food and Drug Administration head David Kessler, the growing courage of an inflamed Congress, and, not least, the ham-handed defense of the tobacco companies themselves, highlighted by their CEOs' suicidal declaration under oath that nicotine is not addictive. In the end, the companies would agree to pay Mississippi and 45 other states more than $250 billion over 25 years.

Assuming the Risk does a good job of describing the pioneering role that Mississippi—last on so many national indicators—played in helping contain the tobacco industry. Had it not been for Dick Scruggs' work on asbestos liability, or Merrell Williams's decision to spy, or Mike Moore's determination to strike at the industry, the shape of the battle might have looked quite different. It's doubtful, though, that the final outcome would have been. The taming of Big Tobacco resulted from a remarkable confluence of political, economic, and personal developments in locales ranging from Washington to Louisville, from Florida to Minnesota. By focusing so narrowly on Mississippi, Michael Orey provides a distorted account of events, as if viewing them through the wrong end of a telescope. The problem is compounded by his tendency to dwell on minor figures. Thus, while Don Barrett, a relatively obscure lawyer, gets 130 pages, the

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FDA's David Kessler gets less than one. Similarly, Orey provides endless details about the life of Merrell Williams, from his inconsolable weeping over his dead dog to his decision to surprise his wife by buying a sailboat and taking her out for an evening cruise on the Ohio River. This not only disrupts the flow of the narrative, it also endows Williams with more importance than he deserves. What's more, his story has already been told elsewhere.

Reading *Assuming the Risk*, one does come away with an appreciation of just how strenuous and exhausting the campaign against tobacco has been. Only by confronting the industry with the prospect of large damage suits in many states was the opposition finally able to prevail. And as Orey points out in his epilogue, the industry is far from beaten. The collapse of Congress's efforts to legislate a regulatory framework for the industry means that the battle over its practices will wind on. For public-health advocates at work in other fields, the lessons are not encouraging.

The Custody Dilemma

When should the state take children away from their parents?

By Dale Russakoff

YOU MIGHT REMEMBER THE 19 MELTON children of Chicago, who were found living in disgusting squalor in a two-bedroom apartment in 1994. You may also recall the brutal custody battle between Megan Marie LaFlamme's birth mother and her adoptive parents in 1992. Most of us were outraged by what we took to be the brainlessness of the judge or caseworker or lawyer—not to mention the birth parents—who made misery of these children's lives. But by now, the stories have generally faded from the public consciousness except for the bare outlines, in part because they sound so much like so many child welfare horrors in other cities and towns.

SOLOMON'S SWORD: Two Families and the Children the State Took Away

By Michael Shapiro
Times Books, $25

In *Solomon's Sword: Two Families and the Children the State Took Away*, Michael Shapiro has brought these cases back to us, in a way we never saw them the first time around. Widening his lens far beyond the events and players that seemed at the time to tell the full stories, Shapiro turns the cases into windows on the social and intellectual history of child protection in America. He reminds us that in historical terms, child welfare is a remarkably modern concept. Until the Industrial Revolution, children were workers, often indentured to strangers, far away from their families. Disease control was such that parents could not assume children would survive to adulthood. In the relatively brief time that our society has wrestled with the question of what constitutes "the best interests of the child," Shapiro shows we have had little patience for the complexities of poverty, dependency, and family dysfunction that define this dilemma and a voracious appetite for quick fixes that in the end only have made things worse. Thus we turned our backs on Jane Addams' settlement house movement well before she won the Nobel Prize in 1931 for her work. Instead, we repeatedly have embraced what Shapiro and others call the "rescue fantasy," "saving" children from presumably bad parents simply by removing them—at times, en masse.

As Shapiro re-introduces us to these two cases, in all their depth and complexity, it is hard not to be ashamed of having thought on first inspection that we understood what was right for these children. It is equally hard not to see our simplistic presumptions as part of the larger problem. "It is not ignorance as such which is harmful, but rather our 'knowing' so many things [that] are not true," British psychologist Michael Ruttner is quoted as saying—words that should be posted over the doorways of many a government building, particularly capitols and courthouses where child welfare law is made.

The two families who are the focus of this book could not be more different. Cindy and Jerry LaFlamme, who adopted Megan Marie in 1991 when she was almost four months old, are middle class and

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highly responsible. Every consultant Shapiro quotes vouches they were exemplary parents. Shapiro, who teaches journalism at Columbia University, agrees with that assessment. "I liked them," he writes. "They were people like me." He did not feel the same way about Megan's birth mother, a teenager named Gina Pellegrino with no permanent address, who abandoned the child known as Baby Girl B at the hospital after giving birth, resurfacing only after a state judge had terminated her parental rights. Gina, Shapiro writes, "was not like me, and I did not believe that she would be a parent like me." This was the assumption behind virtually all of the media coverage of the story and the ensuing public outcry, as Shapiro reports it. It was also the view of the Connecticut Department of Children and Youth Services, and Megan was placed with the LaFlammes.

In the end, however, a state judge named John Downey reversed his earlier termination of Pellegrino's parental rights and returned Megan to her, based in part on an obscure provision in the state civil code. Pellegrino renamed Megan as Angelica, after her lawyer, which would have been comical if this had been a satire rather than reality—given that legal warfare, at least as much as this child's best interests, had defined her fate.

Shapiro concludes that Downey was wrong to take the child from the LaFlammes, but he tells the story so fairly that I found myself disagreeing. Yes, the LaFlammes promised the more stable future. Yes, Pellegrino was young and unprepared, and she had been grossly neglectful. But she recognized her appalling mistake, and her passion to be this child's mother burned so strong that it was hard to imagine them apart from each other. Moreover, Shapiro makes clear that the state was unforthcoming if not deceitful in its dealings with Pellegrino—prolonging the ordeal for both families and the child both called theirs.

Shapiro's second case involves 19 children belonging to six women—five of them sisters—who were discovered in a squalid Chicago apartment in 1994 by police officers who had gone there to investigate a tip about drug dealing. There were no drugs in the apartment, but there were cockroaches, a single toilet clogged with excrement, rotting food, no towels or soap or shampoo and a stench so powerful the cops kept staggering outside for fresh air. Inevitably, a freelance video photographer showed up, and his footage of officers carrying the children out one by one was seen over and over again, locally and around the world. The outrage spilled from the highest levels. President Clinton held up a clipping from *The Washington Post* at a prayer breakfast two days later, asking how such a wretched story had unfolded "not in Calcutta but in Chicago."

No one suggested that these children should be returned to their mothers, who went through drug treatment and extensive counseling but never developed adequate parenting skills. *Newsweek*, in fact, celebrated their rescue four years later in a story headlined "Chicago Hope," saluting the state judge who found the mothers guilty of neglect and quoting their new families saying the children were now "just happy little kids." There were many stories like that one. Few of them mentioned that one child had burned down his foster parents' home while another foster family had decided to adopt one child but not a more disruptive sibling. Another caregiver said the children in her care "missed their mother."

Still, Shapiro points out, the Melton children were the lucky ones: Thanks in part to the vast public attention to their case, the state moved quickly to find them stable new homes. At that very moment, however, there were 47,000 other children in foster care, group homes or orphanages in Illinois, an increase of 30,000 in five years. There was no way to find stable homes for all of them. More commonly, children bounced from one placement to the next, as families gave up on being able to meet their needs. Severing the parental rights of mothers like the Meltons didn't accomplish much except in legal terms. Where were the adoptive families for tens of thousands of children, many born with cocaine in their blood and trauma in their lives?

The Congress and President Clinton claimed to have taken on this dilemma with a new federal adoption law passed in late 1997, making it easier to terminate parental rights in cases of abandonment, gross neglect and abuse, and creating new incentives for adoption.

But Shapiro's book reveals the narrowness of this approach, which was billed as a corrective for an existing law that had come to be seen as too tolerant of bad parents. Instead of tolerating bad parents on the one hand, or punishing them on the other, Shapiro calls for accepting their place in their children's lives. That the Melton children "missed their mother" was hardly surprising, considering she was the only mother they had ever known. Why not place these children with another family, Shapiro asks, but allow their biological parent(s) to see them with the blessing of the state, rather than its scorn? If parents want no role, they will play none. If they do, Shapiro argues, don't shut them out.

In this fine book, which will enlighten anyone

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who works in or cares about this field, one important element is missing: the child's eye view. We learn in-depth what the LaFlammes wanted, what Pellegrino wanted, what the Melton mothers wanted, what the judges wanted, what the lawyers wanted, what the psychologists wanted, what the politicians wanted—all on behalf of Angelica Pellegrino and the 19 Melton children. But we do not find out how the children have fared, except in a too-brief chapter that tells us Gina Pellegrino appears to have turned out, against the odds, to be a good mother, according to unnamed sources, as well as another chapter that gives conflicting views of the outcome for the Melton children.

I assume that Shapiro, whom I have come to know and respect in my own experience as a reporter covering child welfare, would have delivered this angle if he could have. Confidentiality laws that often protect child welfare bureaucracies more than children make it almost impossible for the public to know whether the solutions that adults keep concocting actually work. The makers of child welfare law, like parents, always have believed they knew what was best for kids. As Shapiro devastatingly demonstrates, they need to ask the children.

The Decline of the Presidential Campaign

A great campaign reporter describes what we've lost

By Paul Taylor

JULES WITCOVER HAS WRITTEN A GOOD, PASSIONATE and disheartening book. It's a grand tour of everything not to like about presidential campaigns, from Dick Morris to John McLaughlin, from the Electoral College to the primary calendar, from soft money to attack ads, from canned conventions to ducked debates. It's vintage Witcover—which means strong reporting, sharp analysis, well-turned anecdotes, revealing interviews and an abiding love of the game, warts and all. Yet through it all there's a melancholy at the core of the enterprise.

NO WAY TO PICK A PRESIDENT
By Jules Witcover
Farrar, Straus and Giroux, $26

Witcover is a great political reporter coming to grips here with his disillusionment in the marquee story he's devoted his career to telling. It's no surprise he should feel that way; just about every sentient citizen in the land feels that way. But citizens have an easy out. They can shrug their collective shoulders, carp or muse fleetingly about how small and unappealing politics has become, and go on their merry ways. Rarely has the political life of the country seemed so inconsequential to the real life of the country. For most people, this is a good thing.

For Witcover, it's a disaster. Not just because it makes what he does so well seem less important, but because it's an affront to the belief system that led him to do it in the first place. Witcover cares deeply about politics and thinks its place is at the center of things. He's written four books about presidential campaigns (three of them co-authored with Jack Germond, with whom he also writes columns for *The Baltimore Sun* and *National Journal*), and eight others about U.S. politics and history. When his book about the 1976 race, *Marathon*, became a bestseller, he inherited Theodore H. White's pen as the official instant biographer of modern presidential politics.

But his subsequent campaign books have played to a dwindling readership, as the political culture has drifted further and further down alleyways Witcover dissects in *No Way to Pick a President*. The author's disillusionment was painfully evident as early as the 1980s, just in his choice of book titles; *Wake Us When It's Over* was the 1984 offering and *The Trivial Pursuit of the Presidency* was the sub-title of the 1988 book. That's about as close as any author wants to get to posting DO NOT ENTER signs on his book covers.

PAUL TAYLOR, *a former reporter for* The Washington Post, *is the founder and executive director of the Alliance for Better Campaigns.*

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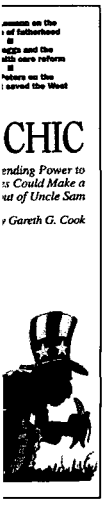

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Witcover has since taken a break from quadrennial narratives and headed off in a couple of directions. Last year he came out with a nostalgic look back at 1968, when politics was king. Its evocative title: *The Year the Dream Died.* And now he's come out with a campaign book the year before an election, rather than the year after, and offered it as a primer on everything that's wrong with presidential politics and how to fix it.

The indictment is sweeping and at times overwrought. "One deplorable fact has become crystal clear: the process by which the nation chooses its leader has been hijacked—by money, ambition, and, yes, the ingenuity of the men and women who practice the art of politics in all its forms," Witcover writes in his introduction. He describes modern campaigns as "not an exercise in civic-mindedness but an orgy of no-holds-barred warfare ... fought out first in a relentless pursuit of campaign money ... and finally through the new high-tech weapons of mass communication, increasingly under the generalship of mercenaries." He goes on to bemoan that too often journalists have been reduced to "bystanders or accomplices" in this manipulation, even as they undermine their own craft's credibility by turning themselves into buffoons and small-time celebrities on television's ever-proliferating shout shows.

Witcover of course knows that political campaigns are not designed to be exercises in civic-mindedness; the nature of the beast has always been coarse, messy, ragged. But he's right they've gotten much worse, and he's right to locate a large chunk of the problem in a modern political culture that gives hired-gun campaign consultants such a large share of the action.

Most of the consultants interviewed for the book seem to agree. Mike Murphy, one of the quickest, funniest, and smartest operatives to come out of the GOP attack ad factory of the early '80s, no longer enjoys swimming in the pond he helped poison. He laments: "Unfortunately and tragically, the voters tend to reward negative campaigns. The voters love 'em. They say they don't but they reward them ... So now, instead of an elegant strategy, what you really need is 5,000 gross ratings points of negative commercials in the last five weeks ... Most people I know who are at the top of this business are spending a lot of time trying to get out of it. We're all doing more corporate work, because campaigns are less and less fun ... It's just a cheapening of the political dialogue."

Witcover quotes several other consultants with similar misgivings, but I'm not sure he's produced a representative sample. In my experience, most campaign guns are more defiant than reflective. The only defiant one Witcover quotes at length here is Dick Morris, who does nothing to undo his reputation as one of the most hilarious blowhards in the business. At one point the book has Morris describing the Hegelian theory of thesis, antithesis and synthesis, which, he adds helpfully, "is how Marx and I agree history moves forward." Must have been a client from the early years.

After taking on the hired guns and the celebrity television pundits (side note: sweetly, Witcover gives a free pass to his much-beloved partner, Germond, whose name does not come up despite his 15-year stint on the much-skewered McLaughlin Group), Witcover turns his attention to a variety of systemic problems with the presidential selection process. These run the gamut from the loophole-ridden campaign finance laws, to the front-loaded nomination calendar, to the haphazard delegate selection process, to the roll-of-the-dice culture of vice-presidential selection, to the made-for-TV conventions that have airbrushed the politics out of politics.

He puts forth lots of sensible reform proposals. Soft money needs to be legislated out of the political system, and free television time legislated in. The primary calendar should be stretched out, with small states coming before big states, but with Iowa and New Hampshire losing their automatic place as lead-off hitters. The party conventions should become occasions for lively policy debate, unrestrained by the glare of television lights.

It all sounds good, and if there were an office of Reformer-in-Chief, he'd have my vote. But a final whiff of melancholy intrudes. Witcover ends the book on a note of resignation, observing that unless the public clamors for something better—and he sees no immediate prospect—"we will be doomed to keep on without significant change—getting what our collective apathy reaps."

That's too downbeat for my taste, though I may not be the best judge. I too covered presidential politics for a spell—not nearly as long or well as Witcover. I too got frustrated with the story. My solution was to leave journalism—and to pursue, as an advocate, some of the same reforms Witcover champions as an author. Obviously, I've got a stake in believing things actually can get better. Like Witcover, I don't find a lot of encouragement in the current landscape. But history is with us! America's campaign culture has become a loser, and Americans don't put up with losers. Sooner or later, we get rid of them.

In the meantime, the most redemptive thing I take from this book is Witcover's voice—sad, indignant, insistent, seized with the story. He's been at it for more than 40 years, a model of old school values and virtues. Most people think of journalists as cynics. The best of them—like Witcover—are cold-eyed idealists. I wish he had a better story to tell. I'm glad he's still telling it.

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Tidbits & Outrages

Fedex is trying ketchup

Three women were arrested in Lansing, Michigan, after they smeared their naked bodies with mustard and hijacked a UPS truck.

The food was that bad.

Airline policy is being reviewed after a Filipino passenger on a flight from Dubai to Manila was left for three hours after dying in his seat.

He was threatening to kill the TV

A man in Issaquah, Washington was arrested this week for shooting his personal computer. According to an AP wire report, police talked the man into coming out after a standoff.

The Nancy Reagan school of jurisprudence

A Miami bell [illegible] that the position of the stars at the time of last night's birth caused him to [illegible] home. He then [illegible] and walk out with a [illegible] on his back.

Hint: Avoid the phrase "divine right."

Hereditary members of the House of Lords now have to write a 75-word essay in order to qualify to take part in an election later this year to select the few who will keep their seats.

So that's what the gurgling sound was.

According to a March *Chicago Tribune* story, anywhere from 40,000 to 200,000 patients woke up during their surgeries in 1998 but were unable to move (because of muscle relaxants) or tell their doctors they needed more anaesthesia.

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Political Booknotes

Way Before Gingrich

By Nicholas Lemann

GARRY WILLS TELLS US THAT he undertook this project in the wake of the 1994 midterm elections—the "Contract With America" elections that brought about the apotheosis of Newt Gingrich, Dick Armey, and Tom DeLay. That was only five years ago, but already the moment is beginning to seem impossibly distant. It's worth recalling: Predictions that the Democratic Party was about to suffer the fate of the nineteenth-century Whigs were almost the conventional wisdom. Books like E.J. Dionne's *They Only Look Dead* and James Carville's *We're Right, They're Wrong* were daringly titled. President Clinton seemed to have been struck dumb. And strangest of all, the word "government"—denoting, literally, something every one of the world's hundreds of societies has—was so negatively valenced that it could no longer be uttered openly in American politics. The mood was all-powerful—it swept everything before it.

A NECESSARY EVIL: A History of American Distrust of Government
By Garry Wills
Simon & Schuster, $25

The list of specific events that triggered the change since then would have to include Gingrich's disastrously unpopular shutdown of the government at the end of 1995, the Oklahoma City bombing, and Clinton's hiring of Dick Morris to reposition him. But the public also seems to have made a more general shift, from finding the idea of government profoundly scary to finding the idea of no government profoundly scary. In 1996, Clinton won going away. In 1998, Republican candidates all over the country found themselves having to assure voters that they didn't want to dismantle the public school system. In 1999 the almost certain Republican presidential nominee, George W. Bush, is running on the central promise of starting new government social programs for the poor. Things are startlingly different.

Wills' new book is titled, or subtitled, a little misleadingly: Rather than being a full-dress history of the idea of government in this country from the beginning to the present, it is a series of inspired, essay-length riffs, somewhat recalling his great early book *Nixon Agonistes*. The bulk of the material concerns colonial times—Wills makes no attempt to tell the story of the rise of the anti-government tide of the 1980s and '90s. He wants to refute not the idea that government is bad or nonfunctional in the present, but the idea that suspicion of government was a founding principle of the United States, deeply woven into the fabric of the country.

To accomplish this, Wills gives us a series of wildly contrarian (but persuasive) takes on a wide variety of anti-government propositions. One of the most interesting is his insistence that the Founders, in drafting the Constitution, did not intend to limit the powers of government through the system of "checks and balances" that you learned about in civics class. Instead, they had in mind a simple division of labor, and they intended the Congress, staffed by professional legislators rather than citizen-amateurs, to be the controlling branch of government. The whole reason for the Constitution, Wills reminds us, was that the government under the preceding Articles of Confederation was too decentralized to work. The most famous of the Federalist Papers, James Madison's Number Ten (one of the overall effects of Wills' book, by the way, is to glorify Madison and reduce the more anti-government Thomas Jefferson) is, Wills argues, really an eloquent case against the devolution of government power to the states.

One of the more eccentric, but fascinating, of Wills'contrarian points is that guns, especially pistols, played a much lesser role in American history than we now believe—this by way of arguing against the idea of a traditional right to keep and bear small arms. On the frontier, he says, gun technology was so poor that it was impossible for people to conduct the kind of quick-draw shootouts that are a staple scene in Westerns. During the legendary shootout at the O.K. Corral, nine men fired freely at each other in a constricted space for quite some time, and only three were killed. Another inspired riff is an attack on the sainted (and government-hating) Henry David Thoreau for being a self-involved weirdo. Another is a debunking of H.L. Mencken, whose cynicism about government has greatly influenced journalists because it was so charmingly put.

What Wills doesn't do is lay out a coherent theory of what role government should play in contemporary America. We still need a book that would do that, but in not writing it Wills has avoided the difficulties that would have arisen from his arguing in detail against a position—the Newt Gingrich position from 1994—that has become outdated more quickly than anyone could have predicted. He has, however, accomplished something else of great value, which is to disable the claim that a substantial, professional, powerful central government represents a betrayal of the American tradition. That clears the way for the discussion of what government should do next to take place.

NICHOLAS LEMANN, *a* Washington Monthly *contributing editor, is a staff writer at* The New Yorker. *His new book* The Big Test: The Secret History of the American Meritocracy *is just out.*

Poisoned Land

By Serge Schmemann

KEN ALIBEK'S BIOHAZARD IS really two books. One is "the chilling true story of the largest covert biological weapons program

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in the world," as the dust jacket proclaims, by a young Soviet doctor, a descendant of ancient Kazakh khans and son of a patriotic veteran, whose talents, ambition, enthusiasm and credulity as a "bioweaponeer" thrust him swiftly to the peak of the ultra-clandestine, clubby, and privileged program. As Kanatjan Alibekov (he changed his name after defecting to the United States), Alibek proudly plays a central role in "weaponizing" anthrax, and smallpox, among other diseases, pausing rarely, and only perfunctorily, to ponder how this work might violate his doctor's oath.

This is also a gripping and frightening story about weapons that could have sent millions to unspeakably gruesome deaths, their tissues dissolving and blood oozing from their nose, mouth, and genitals—as a colleague of Alibek's dies after accidentally injecting himself with the Marburg virus, or suffocating from pulmonary anthrax, as untold dozens of Russians did when spores were accidentally released into the atmosphere from a secret plant in Sverdlovsk in June 1979. Secret laboratories and plants were scattered across the Soviet Union, hidden from the world by walls, restrictions, anonymous "post-office box" addresses, and layers upon layers of KGB scrutiny.

BIOHAZARD
By Ken Alibek
Random House
$24.95

It was Mikhail Gorbachev's perestroika program that spurred Dr. Alibek to question the insidious weapons program of which he was a part. First he puzzles over the bureaucratic inflexibility and reaction of his own secret world, then the usefulness and ethics of what he is doing, and finally, when the Soviet empire collapses, his own place as a Kazakh, a foreigner, in the new Russian state. Dr. Alibek tells us he cannot reveal the details of his defection in order to protect those who were involved. Given the survival of the KGB apparatus and the revival of paranoia in Russia, that is fair enough.

Following his defection in 1992, Dr. Alibek was debriefed at length by American intelligence, and he now works on biodefense. In interviews and testimony before congressional committees, he has repeatedly warned of the continued danger posed by residual Russian expertise in biological weapons, including the fact that much of the program remains carefully guarded. Even if Russia itself is no longer a threat, Dr. Alibek argues, it could export the expertise and seed germs to other nations or to terrorists.

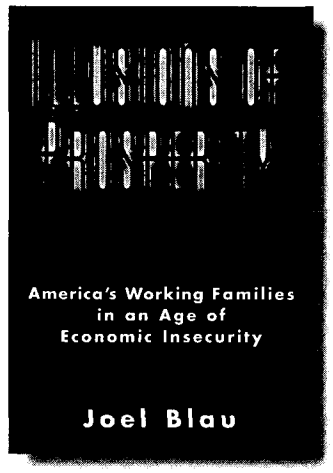
This is a gripping and frightening tale, wonderfully crafted by Stephen Handelman, author of the groundbreaking book on organized crime in Russia, *Comrade Criminal: Russia's New Mafia*. It moves like a suspense novel, with useful but never ponderous chunks of scientific background and history scattered among the accounts of scientific breakthroughs, bureaucratic wars, horrible accidents, and personal travails.

But there is another book here, too, equally intriguing for someone who spent 10 years as a reporter in the Soviet Union and Russia. This is the grim insight into the cynicism, paranoia and militarism that was the Soviet state. Even after so many years of direct exposure to the Soviet Union, I was again taken aback at the sheer immensity and pervasiveness of the state's obsession with power, control, and secrecy.

Dr. Alibek is not a cold warrior. He makes no secret of his own voluntary immersion in the system, of his own conviction that he was working for the security and glory of his fatherland, of his willing suppression of conscience, of his pride in discoveries that could kill millions. Describing his growing dedication as a young officer in the bioweapons program, he writes: "I still shuddered occasionally when I looked at the bacteria multiplying in our fermenters and considered that they could end the lives of millions of people. But the secret culture of our labs had changed my outlook. My parents would not have recognized the man I had become."

Some reviewers have questioned the sincerity of Dr. Alibek's defection and subsequent expressions of horror

"Must reading for anyone who cares about what is happening to the average American."
— Charles Noble, author of *Welfare As We Knew It*



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— Richard A. Cloward and Frances Fox Piven

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at the program in which he worked, wondering whether he might not be singing for his American supper. I have not met him, but I have known enough people who worked enthusiastically in the Soviet system and then turned on it with disgust to believe that his conversion was honest.

The Soviet Union was a world in which there was one employer, one avenue for self-fulfillment, one legal source of information, one sanctioned world view. A young man growing up in that world, especially a highly talented member of a minority in a remote corner of that world, would be flattered and overjoyed by a chance to enter the elite of his state. It meant not only privilege and power; it also meant a proud place in a state in which most people really were patriotic, and most, like Dr. Alibek and even Dr. Andrei Sakharov, the great physicist and dissident, earnestly believed that the United States was out to destroy the Soviet Union and had to be resisted with every means at hand. "We had been taught as schoolchildren and it was drummed into us as young military officers that the capitalist world was united in only one aim: to destroy the Soviet Union," writes Dr. Alibekov. "It was not difficult for me to believe that the United States would use any conceivable weapon against us, and that our own survival depended on matching their duplicity."

Like Dr. Sakharov, Dr. Alibekov came to the light gradually. So did many other people I knew. It was hard. To accept that the Soviet system was wrong was to reject a religion, to conclude that an entire preceding lifetime was misguided.

I dwell at some length on this aspect of the book because there are readers who will say that the United States and other countries also had top-secret biological weapons programs, along with all the chemical and nuclear means for mass destruction. Gruesome as the germs were that Dr. Alibekov describes, this was the name of the Cold War game in which neither side was clean.

Yet what Dr. Alibekov chronicles is something else, a system in which every resource, every skill was harnessed to the power of the state to an extraordinary degree. In every school across the vast nation, promising students were routinely recruited for the secret work of the state. When anthrax escapes into the air at Sverdlovsk, the overriding concern of the state is to conceal what happened. When the World Health Organization announces in 1980 that smallpox has been eradicated from the plant, the Kremlin recognizes a military opportunity: "A world no longer protected from smallpox was a world newly vulnerable to the disease." When a colleague begs to drop out of "The System" and return to his collective farm, the KGB reports with satisfaction that he went home and "accidentally" drowned.

For the Soviet Union, signing the Biological and Toxin Weapons Convention in 1972 was the signal to create "the largest and most advanced biological warfare establishment in the world." When Dr. Alibekov is finally initiated into the knowledge that he would be making biological weapons and that this was in violation of an international treaty, he is told, "But the United States signed it too, and we believe that the Americans are lying."

"I told him, earnestly, that I believed it too," writes Dr. Alibekov, adding: "The five minutes I spent with him represented the first and last time any official would bring up a question of ethics for the rest of my career."

Dr. Alibekov's conviction, which he has argued before his debriefers and congressional committees, is that such habits linger long. The old Soviet secrecy has settled on the surviving centers of biological research, and the accumulated knowledge of his period remains available for quick revival. Though the state he served is dead, he is regarded by many in Russia as a traitor, and there have been threats on his life.

All this may sound unduly sinister, and Russia is certainly not the Soviet Union. Yet to me the real value of Dr. Alibekov's story is that it is not only an exposé of biological horrors, but also the revelation of a system that created a medium in which more than 60,000 people, a young Kazakh officer among them, willingly dedicated their talents and lives to cultivating deadly germs.

SERGE SCHMEMANN, *deputy foreign editor of* The New York Times, *was the* Times' *Moscow bureau chief from 1980-86 and '90-94.*

Affirmative Reaction

By David J. Garrow

WILLIAM JULIUS WILSON HAS been one of America's best known scholars of race and poverty for over 20 years, but this short book has an expressly political rather than scholarly purpose: to advocate the creation of a national "multiracial political coalition with a mass-based economic agenda" that would combat the dramatic increase in economic inequality that has occurred in America during the 1980s and '90s. Wilson gives almost equal weight to a second avowedly political argument, namely how such a coalition could explicitly champion "race-based affirmative action programs" without such goals "becoming racially divisive." Wilson's first aim will surprise no one who is familiar with either of his two preceding books (*The Truly Disadvantaged*, 1987, and *When Work Disappears*, 1996), but his second contention illuminates with increased frankness just how significantly Wilson's attitude toward race-conscious policies has evolved over the past 12 years.

Wilson's *Bridge* is not this year's only small book with a large economic agenda—Richard B. Freeman's even tinier *The New Inequality: Creating Solutions for Poor America* (Beacon Press) briefly advances some plausible policy ideas—but Wilson's public notoriety as President Clinton's favorite sociologist insures that his proposals will draw more attention than if the same recommendations were propounded by a less renowned academic. The most substantive and original recent books on current American poverty—Paul A. Jargowsky's *Poverty and Place: Ghettos, Barrios, and the American City* (Russell Sage Foundation) and Dalton Con-

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ley's *Being Black, Living in the Red* (University of California Press)—rarely if ever draw review attention from major newspapers and magazines, but the lack of originality in Wilson's analyses is not necessarily a strike against them.

What Wilson, like Freeman, terms "the rising inequality in American society" should come as no surprise to anyone who has examined income distribution statistics from the past two decades. While the top 20 percent of Americans, and especially the top 5 percent, have done very well indeed during the economic good times of the '80s and '90s, the vast majority of Americans have seen no real increase in their incomes despite the aura of prosperity. Much of the blame lies with depressed wages, especially those earned by the working poor. Anyone receiving the current federal minimum wage of $5.15 per hour is unable to support a family, and if the minimum wage of thirty years ago were translated into today's dollars, it would be more than $2 higher—approximately $7.35—than it actually is. Nevertheless, a 1998 congressional effort to raise it to $6.15 went nowhere, and the successes that local activist groups have had in persuading several dozen major cities to adopt "Living Wage" measures that require municipal contractors to pay higher minimum wages have received little attention in the national press.

THE BRIDGE OVER THE RACIAL DIVIDE: Rising Inequality and Coalition Politics
By William Julius Wilson
University of California Press, $19.95

Wilson acknowledges that recent income statistics show that our "rising inequality has slowed in the last two years ... and may enter a period of remission," but that nascent trend will do little to reverse a situation which Wilson insists we must address. Wilson voices no new economic policy suggestions here (a reader seeking those should turn to Freeman), and Wilson's predominant focus is the politics of race, not income inequality. "A detailed discussion of the structure of a national multiracial political coalition is beyond the scope and purpose of this short book," Wilson forewarns, and instead of detailing what such a coalition might entail, Wilson devotes much of the book to a less than fully persuasive defense of race-based programs. Wilson wants to insist that "in the last decade, the nation seems to have become more divided on issues pertaining to race," and he similarly contends that if African-American citizens are going to support any economically progressive coalition, the coalition will have no choice but to embrace their special self-interest in racially-conscious selection policies. These assertions are of course nowhere near as obvious as Wilson would like a reader to believe, but the most notable aspect of Wilson's advocacy of affirmative action is how much his tone and emphasis, if not his underlying substantive views, have changed in the 12 years since he wrote *The Truly Disadvantaged.*

Wilson's political orientation now appears both a good deal more racialist and explicitly more elitist. In 1987, Wilson willingly conceded that affirmative action programs predominantly benefit better-off minority group members rather than the really needy: "if policies of preferential treatment ... are conceived not in terms of the actual disadvantages suffered by individuals but rather in terms of race or ethnic group membership, then these policies will further enhance the opportunities of the more advantaged without addressing the problems of the truly disadvantaged." By 1997, however, Wilson's perspective had significantly changed, for he warned in a collection entitled *The New Majority* that "affirmative action based solely on need or economic class position could create a situation in which African-Americans who are admitted to Harvard represent the bottom half of the socioeconomic continuum in the black community." To Wilson such an outcome would be so unfair and/or undesirable that no further comment was required.

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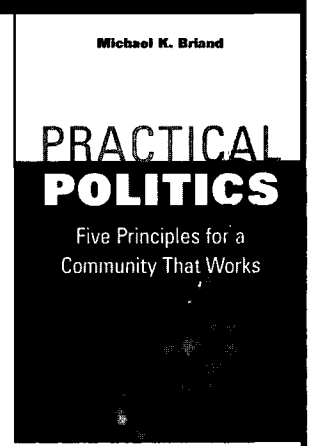

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In *The Truly Disadvantaged*, Wilson readily acknowledged that "contemporary racial problems in America, or issues perceived to be racial problems, are often part of a more general or complex set of problems whose origin and/or development may have little or no direct or indirect connection with race." Indeed, Wilson in 1987 explicitly called for "a comprehensive program that combines employment policies with social welfare policies and that features universal as opposed to race- or group-specific strategies." The second part of that stance has since been jettisoned, however, with Wilson now insisting (in the September/October issue of *The American Prospect*) that "an entirely race-neutral agenda would be a mistake." He warns in *Bridge* that "an affirmative action program based solely on financial need or economic class would do little to sustain racial and ethnic diversity," and there seems little doubt that William Julius Wilson in 1999 is more deeply committed to the advancement of that sort of diversity than to combatting economic inequality regardless of race. Indeed, some of Wilson's arguments now sound more like those of a political consultant than a scholar, as when he recommends renaming "affirmative action" "affirmative opportunity." "By changing the language we use when discussing such programs, we increase their potential for public support and make them acceptable," Wilson revealingly observes.

"Something more than formal, legal equality is required to overcome the legacy of slavery and Jim Crow segregation," Wilson now insists, citing "the enduring burdens—the social and psychological damage" that African-Americans bear regardless of their economic class. Irrespective of how a reader reacts to that claim, the William Julius Wilson of 1999 bears far less resemblance to the Wilson of 1987 than most readers—in the White House or elsewhere—are apt to realize.

DAVID J. GARROW, *Presidential Distinguished Professor at Emory University Law School, reviewed both* The Truly Disadvantaged *and* When Work Disappears *for* The Washington Post.

Grounds for Dissent

By Heather Bourbeau

SINCE THE FIRST BEANS WERE serendipitously discovered by the legendary goatherd Kaldi, in Ethiopia, coffee has been the muse and stimulus of imams, artists, writers, and radicals. Once the exclusive treat of nobility and religious men, coffee would go on to fuel the common man through the industrial age and into the information age. Now our collective fashions and addictions have made the bean ubiquitous and coffee snobbery *de rigeur*. And yet few coffee consumers know the path—geographical, political, even karmic—that their beloved bean has taken.

UNCOMMON GROUNDS: The History of Coffee and How it Transformed our World
By Mark Pendergrast
Basic Books, $27.50

In his new book, *Uncommon Grounds: The History of Coffee and How It Transformed Our World*, Mark Pendergrast does his best to educate the drinker and provide some moral alternatives to conspicuous consumption. While underscoring the heady brew's role in geopolitics and environmental devastation, the book's strength lies in Pendergrast's chronicle of quirky factoids and wanton capitalism as exemplified by the lust for the ambrosia of our times.

He credits coffee with the end of slavery in Brazil, the start of revolutions in Guatemala, and even hints that the French Revolution was spawned by the culture of coffee. A Renaissance Turkish woman could divorce her husband if he failed to provide her with her daily quota of coffee. Instead of banning the dreaded "Muslim drink," Pope Clement VIII baptized coffee, making it a "truly Christian beverage." A century later, Turkish troops fleeing Vienna would leave behind sacks of coffee, which were discovered by an innovative Franz George Kolschitzky, who launched the Viennese café tradition.

For all his painstaking research, Pendergrast's skill as a non-academic historian shines best when he reaches the modern New World through his often-witty descriptions of an industry dominated by imperialistic traditions, sexism, and blinded, arrogant leaders. Among the more engrossing tales is Pendergrast's portrait of the fanatic creator of the successful coffee-alternative Postum and Grape-Nuts cereal, C.W. Post, and of the coffee men he left in his zealous anti-coffee wake. On the news that his archenemy, Post, had suffered a nervous breakdown after years of denouncing "coffee-slugged nerves," *Tea & Coffee Trade Journal* editor William Ukers wrote with sardonic glee, "We would not appear to gloat over his misfortune." Reveling, he continued, "Indeed, if his breakdown is in any measure due to his drinking Postum all these years, he has our deep sympathy." In wishing Post a rapid recovery, Ukers suggested a nurse "slip him a cup of coffee now and then during his convalescence."

To add injury to irony, Post was soon after diagnosed with appendicitis. For years, he had claimed that his Grape-Nuts cereal cured just such an ailment. For a health-nut who wrote that sickness was the creation of a feeble human mind, the humiliating need of an operation and recuperation plunged him deeper into a depression that led to his eventual suicide. He left the family business to his daughter Marjorie Merriweather Post, who would twist fate further by creating General Foods and purchasing Maxwell House Coffee.

Tucked in between profiles are world wars, cataclysmic frosts and droughts, and the rise and falls of coffee cartels, but all are personalized via dramatic characterization. Pendergrast provides a biased and bemused account of the men behind the rise of Starbucks (no glamorization of the chain here). And for those readers still fumbling with kitsch-hip, bad-brew percolators, Pendergrast has a special appendix on "How to Brew the Perfect Cup."

With so much to offer it would be understandable to overlook the greatest downfall of the book—the misleading title. As Pendergrast rightly points out, coffee is a worldwide obsession, one that has affected global politics, economy and social values.

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Yet the first 1,200 years of coffee history, filled with political turmoil, ecological disaster, religious devotion, and clandestine romances, are reduced to a total of 40 pages.

And while his chronicles of European and Latin American developments are extensive enough to argue that Pendergrast's scope goes beyond the United States, he all but ignores Africa and Asia, where the specialty coffee evolution has led to increased demand from Indonesian and other desirable arabica-rich regions. There is one very notable exception: Pendergrast's coverage of Idi Amin's use of Uganda's booming coffee crops to fund his bloody tyranny, the U.S. congressional delay of a Ugandan product boycott, and the international coffee men who profited from it, like the American coffee importer Claude Saks. Following a massive heart attack, Saks left coffee and took up New Age spirituality, writing, "Picture in front of your eyes a light, golden mist which is gentle, warm, and full of unconditional love just for you." Barely restraining himself throughout his recanting of the ugly Ugandan coffee dealings, Pendergrast lets loose on Saks, writing in a footnote: "Perhaps Saks could have given these instructions to the Ugandans in their concentration camps."

Thus it is not so much myopia on Pendergrast's part as mild hubris in the subtitling of the book. A better option might have been "How Coffee Transformed The Modern American World"—a more accurate and equally appealing tag line. For even when describing international political, economic, or social developments, Pendergrast highlights how these events affected the U.S. market, sometimes as if the United States were the only market for coffee and coffee products: "It appears, then, that the higher costs are probably justified, at least in terms of the U.S. economy and lifestyle," he writes.

Yet this is a book that deserves to be read without the criticisms and false expectations that come with such grandiose intentions. North Americans are some of the greatest consumers (though the per capita title goes to Finland), and Central and South Americans are the greatest producers of coffee in the world. So a book dedicated to the history of, characters in, and possibilities for the American coffee industries—such as *Uncommon Grounds*—is not only a good read but a vital one for anyone who considers him or herself an American political economist. Or simply a responsible coffee drinker.

HEATHER BOURBEAU *is the international policy reporter for* TheStreet.com.

Remembering Apollo

By Charles Petit

THOSE OF US WHO STARTED space and science reporting after Apollo know we missed something special. Not that a space shuttle launch isn't a stupendous thing. But reporters watching one with their mouths agape tend to get a slightly pitying look from old-timers who saw the Apollo moon rockets take off. Some say these were life-changing, almost religious experiences. Schefter describes the first one: "The ground beneath the reporters' feet began to tremble. It shook. It amplified. Reporters felt the Saturn 5 long before they heard it. All one thousand of them were screaming and yelling, 'Go! Go! Omigod! Omigod!' ... No one was ready for this." When the sound finally hit them, the air crackled like nonstop thunder and roared like 1,000 hurricanes. It was more than noise; it was a force. "Reporters leaned into the shove and craned to watch that omigod rocket pitch over on cue to a straight east heading." When the rocket and its three crewmen were gone, "the reporters looked at each other and shivered."

What a difference a few decades makes. As the 30th anniversary of the first Apollo moon landing came and went on July 20, morose old astronauts remarked in various ways that it has been an awfully long time since people wearing spacesuits did anything really new, adventurous, or heroic up there. They're right. The few missiles sent moonward since Apollo have been small, automated probes—the most recent mission was a little 350-pound craft called Lunar Prospector that culminated its mission August 31 in a deliberate nosedive into the lunar south pole. The hope was to spot water vapor in the puff of dust, a discovery that might make a longer stay on the moon more feasible some day. Don't hold your breath. Lunar Prospector's biggest achievement was its low cost: $63 million. When it comes to tax dollars, such economy is undoubtedly good, but it also shows how things have changed. When President Kennedy vowed in 1961 to put a man on

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States had yet to put a man in orbit at all. Everybody knew it would be godawfully expensive. It was, too: Well over $100 billion when corrected for inflation.

James Schefter covered NASA from 1963 to 1973 for the *Houston Chronicle* and Time-Life. He got to know the astronauts and the NASA officials who ran the manned spaceflight program and has kept in touch since. He watched intimately the many ups and downs of the program and the fierce infighting behind the scenes as various schemes and designs were adopted, rejected, and refined. He also has gone through recently available Soviet archives and spent hours with new U.S. citizen Sergei Khruschev, whose father gave the green light to Moscow's early space successes and its failed effort to send cosmonauts to the moon. This is a book by a fan who reveled in Apollo. Don't read it for philosophical or political analyses of the value and rewards of rocketships. Schefter is not a historian, sensitive to subtleties or paradox. The book reads a bit like a pulp detective story, larded with short, declarative, emphatic sentences that add up to urgent, self-consciously manly writing. It is a paean to mechanical ingenuity and uncomplicated courage.

THE RACE: The Uncensored Story of How America Beat Russia to the Moon
By James Schefter
Doubleday, $24.95

Despite his failure to grapple with the most important questions about the Apollo program, Schefter's account is well-reported and in long sections, grippingly told. It starts sensibly with the embryonic space programs in both the United States and U.S.S.R. in the '50s. The reader meets such major characters as the then-shadowy "Chief Designer" of Russia's rocket forces, Sergei Korolev, and in the United States the Nazis' former rocketman von Braun and Schefter's personal hero Bob Gilruth, head of NASA's manned Spacecraft Center. Nearly the entire tale is familiar, including the media frenzy around the original Mercury seven astronauts, the embarrassments of the Vanguard program whose rockets blew up repeatedly while the first Sputniks beeped on by, and on through tragedies and triumphs until Armstrong made his small step from the Lunar Module Eagle. In his telling, the Soviets no more stood a chance of beating the American space juggernaut than Japan did of defeating U.S. industrial might in World War II. The account of a Soviet program that had only one thing going for it—huge rockets built to carry oversized nuclear warheads—rings true. He is very persuasive in explaining how Soviet technology fell hopelessly behind the sophisticated space hardware that NASA developed for the Mercury, Gemini, and Apollo programs.

That said, the book doesn't live up to its subtitle. The "Uncensored" story? Schefter takes delight in describing the off-hours hijinks of the early astronauts, most of which involved jumping in bed with parades of women picked up in bars, at the space center, on the road, and everywhere else. This, however, is not a revelation, and the book shows the good sense not to provide raunchy details (like other such accounts, it depicts John Glenn as a choir boy compared to his hormone-addled test pilot colleagues). More important, sections on the Soviet program are too sketchy, interspersed in brief breakaway vignettes that interrupt the U.S.-based narrative without adding useful context. This book, like earlier efforts, recognizes that Kennedy's clarion call was driven by politics and Cold War fears, not science. The absence of a larger justification for Apollo other than to beat the Russians set the stage for the continuing hiatus in long-range human space exploration. Schefter portrays the United States as having been hoodwinked by Soviet propaganda into a moon race. This implies we should have done it differently. Yet his book implicitly celebrates Apollo as a sublime achievement. He does not grapple with the central question about Apollo: Was it a mistake? Even if it was, should we thank the Soviets for bamboozling us? Who were the smart people? While the book seems scornful of opponents of the moon program in the early '60s, it seems even in this account that their skepticism was well-grounded in fact. Those who demanded a mighty U.S. counterblow to seeming Soviet technological superiority were in fact wrong—Moscow was mostly bluffing. While the U.S.S.R.'s space program achieved many glorious firsts it did not represent a fundamental threat to America. Schefter races along from incident to incident, with little scrutiny of their pattern.

In fairness, many Americans still see the space program as the most amazing, impressive thing America has done in the last half century, and Schefter does capture that sentiment. He has gathered plenty of facts about the moon race, which was not really a race at all. It was a remarkable series of events; his readers will have to reflect for themselves on its meaning.

CHARLES PETIT *is a senior writer at* U.S. News and World Report.

FOLLOW IN FAMOUS FOOTSTEPS...

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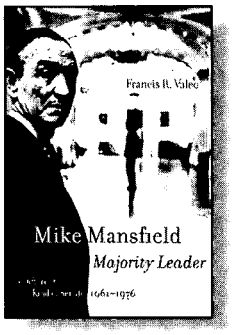
The good, the bad, and the unabashedly political

Mike Mansfield, Majority Leader

A Different Kind of Senate, 1961-1976

Francis R. Valeo



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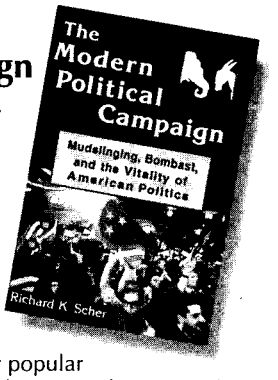

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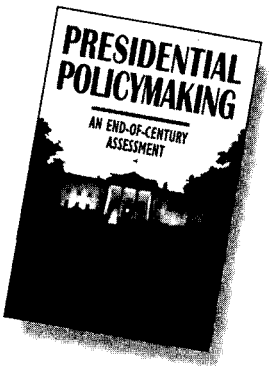

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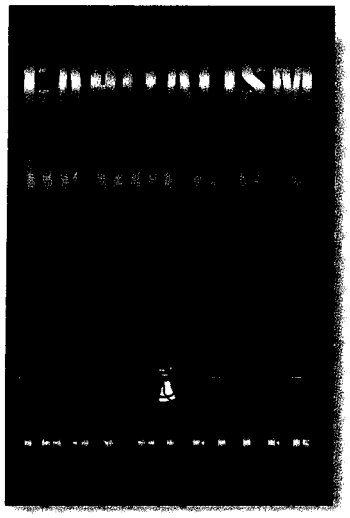

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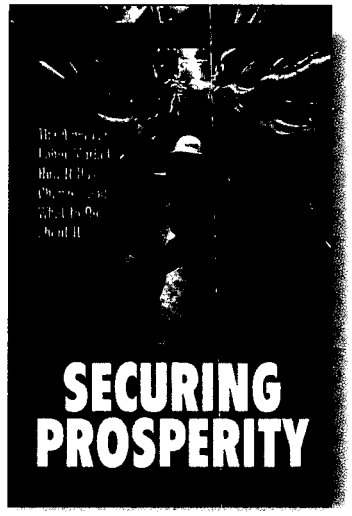

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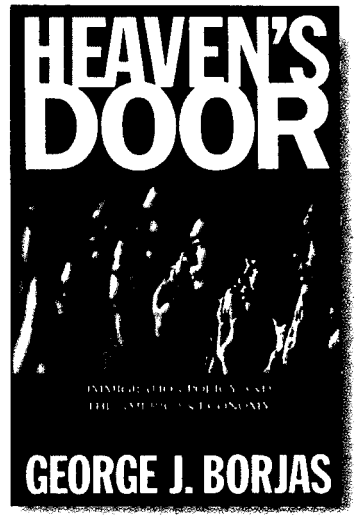

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